



PENSION BENEFIT GUARANTY CORPORATION

Management Directive 715

FISCAL YEAR 2015



FY 2015 Management Directive 715

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| EEOC FORM 715-01 PART A - D | U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT | | |
| For period covering October 1, 2014 to September 30, 2015 | | | |
| | 1. Agency | | 1. Pension Benefit Guaranty Corporation |
| | 1.a. 2 nd level reporting component | | |
| | 1.b. 3 rd level reporting component | | |
| | 1.c. 4 th level reporting component | | |
| | 2. Address | | 2. 1200 K Street, NW |
| | 3. City, State, Zip Code | | 3. Washington, DC 20005 |
| | 4. CPDF Code | 5. FIPS code(s) | 4. BG00 |
| PART B Total Employment | 1. Enter total number of permanent full-time and part-time employees | | 1. 905 |
| | 2. Enter total number of temporary employees | | 2. 48 |
| | 3. Enter total number employees paid from non-appropriated funds | | 3. none |
| | 4. TOTAL EMPLOYMENT [add lines B 1 through 3] | | 4. 953 |
| | 1. Head of Agency Official Title | | W. Thomas Reeder, Agency Director |
| | 2. Agency Head Designee | | Alice Maroni, Chief Management Officer |
| | 3. Principal EEO Director/Official Official Title/series/grade | | Karen Margensey, Equal Employment Opportunity Director GS-301/15 |
| | 4. Title VII Affirmative EEO Program Official | | Lori J. Bledsoe Senior EEO Specialist, Affirmative Employment |
| | 5. Section 501 Affirmative Action Program Official | | Lori J. Bledsoe Senior EEO Specialist, Affirmative Employment |
| | 6. Complaint Processing Program Managers | | Dianne Wood, Attorney Advisor Craig Cassidy, EEO Specialist |
| | 7. Other Responsible Staff | | Kimberly Rodgers, EEO Specialist Cynthia Searles, EEO Specialist Larisha Warner, Equal Employment Analyst Donald Beasley, Reasonable Accommodation Coordinator(HRD) & Selective Placement Coordinator (HRD) |

| EEOC FORM 715-01 PART A - D | U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT | | |
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| PART D List of Subordinate Components Covered in This Report | Subordinate Component and Location (City/State) | CPDF and FIPS codes | |
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| EEOC FORMS and Documents Included With This Report | | | |
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| *Executive Summary [FORM 715-01 PART E], that includes: | X | *Optional Annual Self-Assessment Checklist Against Essential Elements [FORM 715-01PART G] | X |
| Brief paragraph describing the Agency's mission and mission-related functions | X | *EEO Plan To Attain the Essential Elements of a Model EEO Program [FORM 715-01PART H] for each programmatic essential element requiring improvement | X |
| Summary of results of Agency's annual self-assessment against MD-715 "Essential Elements" | X | *EEO Plan To Eliminate Identified Barrier [FORM 715-01 PART I] for each identified barrier | X |
| Summary of Analysis of Work Force Profiles including net change analysis and comparison to RCLF | X | *Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals With Targeted Disabilities for agencies with 1,000 or more employees [FORM 715-01 PART J] | N/A |
| Summary of EEO Plan objectives planned to eliminate identified barriers or correct program deficiencies | X | *Copy of Workforce Data Tables as necessary to support Executive Summary and/or EEO Plans | X |
| Summary of EEO Plan action items implemented or accomplished | X | *Copy of data from 462 Report as necessary to support action items related to Complaint Processing Program deficiencies, ADR effectiveness, or other compliance issues | X |
| *Statement of Establishment of Continuing Equal Employment Opportunity Programs [FORM 715-01 PART F] | N/A | *Copy of Facility Accessibility Survey results as necessary to support EEO Action Plan for building renovation projects | N/A |
| *Copies of relevant EEO Policy Statement(s) and/or excerpts from revisions made to EEO Policy Statements | X | *Organizational Chart | X |

Executive Summary

Introduction:

The Pension Benefit Guaranty Corporation (PBGC or Agency) leadership team demonstrably supports the implementation of PBGC's model EEO agency program through its Office of Equal Employment Opportunity (OEEEO). OEEEO manages the Agency's equal opportunity program, promotes and advocates equal opportunity and affirmative employment in all aspects of the Corporation's employment and business relationships and seeks to strengthen organizational services to enable PBGC to achieve its strategic mission – Protecting America's Pensions.

PBGC promotes full and fair opportunities for employment, career advancement and access to programs so that employees of PBGC are valued, respected and are free to develop their full potential in an innovative culture aligned with the Corporation's priorities. The Agency's leadership supports OEEEO efforts to promote and advocate for equal opportunity and affirmative employment in all aspects of the Corporation's employment and business relationships.

PBGC's noteworthy progress in FY 2015 in developing an equitable work environment and its plans for enhancing the EEO program are described below.

Background:

The Pension Benefit Guaranty Corporation (PBGC) works with employers to preserve their pension plans, insuring pension benefits, and paying guaranteed pension benefits on time to retirees. For 41 years, the PBGC has protected the pension benefits of millions of America's workers and retirees, and it is critical to our nation's retirement security that it does so for many more years. PBGC collects insurance premiums from employers that sponsor insured pension plans, earns money from investments, and receives funds from pension plans it takes over. PBGC insures the benefits for more than 41 million workers and retirees. During the past 12 months, PBGC became responsible for an additional 65 trusteed single-employer plans and paid \$5.6 billion to almost 826,000 retirees from more than 4,700 failed single-employer plans (an additional 560,000 workers will receive benefits when they retire).

The major occupations at PBGC during FY 2015 include Auditor (Series 0511), General Attorney (Series 0905), Actuary (Series 1510), Information Technology Specialist (Series 2210), Accountant (Series 0510), Employee Benefit Law Specialist (Series 0958), Financial Analyst (Series 1160), and Contract Specialist (Series 1102). These occupations represent a significant portion of the PBGC workforce, and affirmative employment and outreach efforts include collaborating with management on recruitment and retention in these major categories.

Workforce Analysis:

During the reporting period, PBGC had 953 temporary and permanent employees. The total number of permanent and temporary employees decreased from 962 in FY 2014. The statistical data reflects that of PBGC's total workforce, Hispanic males and females, Native Hawaiian or Other Pacific Islander males and females, American Indian/Alaska Natives males and females, Two or more races males, and White males and females are at less than their expected Civilian Labor Force (CLF) representation. The following groups decreased their representation at PBGC in FY 2015:

- Hispanic or Latino males (from 1.98% to 1.89%)
- White males (from 26.82% to 25.71%)
- American Indian/Alaska Natives females (from 0.21% to 0.10%)
- Black females (from 29.83% to 29.70%)
- Asian females (from 6.03% to 5.98%)
- American Indian or Alaska Native females (from 0.21% to 0.10%)
- Two or more races males (from 0.21% to 0.10%)

PBGC did see slight increases in its representation of the following groups in FY 2015:

- Hispanic females (increased from 1.98% to 2.10%)
- White females (from 16.84% to 17.52%)
- Asian males (from 3.74% to 3.88%)

PBGC also saw increases in its representation of Persons with Disabilities (PWDs). In FY 2015, there were 77 PWDs which is an overall gain of 5 new employees from the previous year; this includes two persons with a targeted disability (PTD). PWD's represent 8.08% an increase of 0.60% from the previous year of the Agency's workforce. PTD's represent 1.36% (an increase of 0.22% from the previous year) of the Agency's workforce; however remains below the anticipated Federal target of 2%. Persons with targeted disabilities are represented in the following occupations:

- Auditing
- Financial Analyst
- Actuary Science
- Information Technology Specialist

As a result of the strategies implemented in its FY 2013-2015 Disabled Veterans Affirmative Action Program (DVAAP) Plan, PBGC hired four disabled veterans, and two disabled veterans with the Pathways Internship Programs in FY 2015. As of the end of FY 2015, PBGC employed 24 disabled Veterans out of a work force of 918 FTEs employees (approximately 2.6% of PBGC's workforce). This represents a .020% increase over last year's statistic of 2.4%. The total number of disabled veterans in the Pathways Program was 2 out of 29 participants (approximately 6.9 %). In FY 2014, the total number of disabled veterans in the Pathways Program was 2 out of 30 participants (6.6 %).

Results of the Agency's Annual Self-Assessment:

PBGC has conducted its annual self-assessment of the EEOC's Management Directive (MD) 715 six "Essential Elements" and continues to report steady progress towards model EEO program status:

Essential Element A: Demonstrated Commitment from Agency Leadership

- The EEO director met with the Acting Agency Head and/or Senior Leadership and/or Department Directors to discuss EEO programs and initiatives at least bi-weekly throughout the year
- The State of the Agency's EEO Program briefing was delivered to the Acting Agency Head, Senior Leadership, Department Directors and PBGC's Diversity Council and the presentation was posted to the Agency's intranet
- Agency leadership strongly supported:
 - Agency-wide distribution of updated *EEO* and *Prevention of Workplace Harassment Policy Statements*
 - MD-715 and NoFEAR Act Quarterly and Annual Reports posting on internal and external websites
 - Expanded dissemination of information about PBGC's EEO programs to employees via lunch and learn sessions, in new employee orientations, and on the Agency's internal website
 - Inauguration of PBGC's first Diversity & Inclusion Council in response to Executive Order 13583
 - PBGC Senior Leadership has demonstrated its commitment to equal opportunity, diversity and inclusion by offering a valuable online course, "*What's Your MicroTrigger?*" to all employees. This interactive course was designed to help employees understand how unconscious behaviors can impact the workplace and how small changes can positively improve team work, efficiency and the ability to solve problems.

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

- PBGC significantly enhanced constructive collaborative departmental partnerships involving OEEC which resulted in measurably improved integration of EEO, diversity and inclusion principles throughout the Agency's strategic operations in FY 2015:
 - Agency's Strategic Human Capital Plan
 - PBGC Annual Performance Report
 - Collaborative preparation of FEORP, DVAAP, and Hispanic Employment Reports for FY 2015

- PBGC conducted barrier analysis outreach to three organizations (representing 48% of its workforce), consisting of multiple departments, providing workforce demographics and commencing/continuing dialogues about overall workforce demographics, possible triggers and barriers assessments which will continue through FY 2016
- The Agency developed, conducted, delivered, and participated in:
 - providing executive sponsors for the Agency's chapter of FAPAC at PBGC
 - multiple, well-received and favorably-evaluated trainings on EEO, diversity, inclusion, reasonable accommodation, conflict resolution, respect, addressing unconscious bias, correcting workplace harassment, etc.
 - seven well-attended educationally-focused Special Emphasis Program observances
- PBGC's OEEO and HRD departments collaboratively participated in discussions on human capital programs, succession planning, recruitment, personnel directives/policies, special emphasis programming, and training, among other topics.

Essential Element C: Management and Program Accountability

- The Acting Agency Head affirmatively supported achievement of the equal opportunity, diversity and inclusion goals and accomplishments and provided periodic feedback/evaluation of the EEO Director's performance.
- There was no discipline of any PBGC employee for discrimination, retaliation, harassment, or an infraction of any provision of law covered by the No FEAR Act or 29 C.F.R. Part 1614
- Agency policies, procedures, and practices were examined for hidden impediments to equal opportunity for groups of employees or applicants. Such reviews touched all aspects of PBGC operations:
 - Preserving plans and protecting pensioners
 - Paying timely and accurate benefits
 - Maintaining high standards of stewardship and accountability
- PBGC has a policy of discouraging offensive conduct before it rises to the level of discriminatory harassment. Employees are encouraged to report offensive, unwanted conduct. In FY 2015, based on such reports, the Office of the General Counsel and the Human Resources Department conducted 16 fact-finding inquiries.

Essential Element D: Proactive Prevention of Unlawful Discrimination

- PBGC has made significant progress in providing all managers, supervisors and employees with information regarding their rights and responsibilities under the various anti-discrimination and anti-retaliation laws that apply in the federal sector through posters, intranet content, all-employee emails, and policy statements from the Acting Agency Head or designee. Targeted guidance for managers has also been provided, including providing a copy of the Agency's *EEO* and *Prevention of Workforce Harassment* policy statements and intranet manager resources to each newly on-boarded or promoted supervisor or manager.
- The Agency conducted multiple, frequent, well-attended and well-received presentations/ trainings via staff meetings, brown bag lunch topic discussions, briefings to employee resource groups, and formal trainings of PBGC managers and staff in the areas of equal employment opportunity, diversity, inclusion, reasonable accommodation, conflict resolution, respect, addressing unconscious bias, correcting workplace harassment, etc.
- As a result of the unexpected increase in formal complaints filed in FY 2015 (45) over the preceding reporting period total of 33, Agency organizations sought barrier analysis and workforce assessment services from its EEO office to correct identified barriers to equal opportunity.

Essential Element E: Efficiency

- The Agency promotes early resolution of complaints and the use of alternative dispute resolution (ADR) as an option to its traditional administrative EEO complaint processes and offers ADR at all stages of the EEO complaint process. The commitment to ADR is communicated to employees through the intranet, training, and during individual meetings with parties seeking assistance from the EEO Office.
- In FY 2015, the Agency authorized and funded acquisition of an automated ADR solution to allow efficient tracking/reporting on ADR efforts related to EEO complaints.
- For FY 2015, the total Alternative Dispute Resolution (ADR) offer rate for informal EEO complaints was 94 percent, with an acceptance rate of 55 percent.
- PBGC received and processed 45 formal complaints alleging employment discrimination in FY 2015, a significant increase over the number filed in FY 2014 (33).
- Due to an unexpected increase in formal complaints filings, Final Agency Actions (including merit and procedural decisions, settlements and withdrawals)

were processed less efficiently, within an overall average of 382 days. Final Agency Decisions (procedural) were issued within an average of 43 days in FY 2015.

- The percentage of the Agency workforce filing formal complaints rose to 4.7 percent from 3.4 percent in FY 2014 and 1.4 percent in FY 2013.

Essential Element F: Responsiveness and Legal Compliance

- PBGC departments collaboratively responded to multiple requests from EEOC for comments and/or review of proposed revisions, as follows:
 - EEOC Notice of Proposed Rulemaking, Section 501 of the Rehabilitation Act
 - Draft EEOC Annual Report on the Federal Work Force
- PBGC fully implemented EEOC's FedSEP portal module - EFX (appellate/hearing files electronic transfer) for all hearings and appellate matters before EEOC.
- The Agency successfully processed all informal complaints.
- PBGC's formal complaints processing accomplishments in FY 2015 include:
 - By the end of the fiscal year, the Agency had 57 formal complaints in inventory, due in large part to 45 formal complaints being filed during the reporting period
 - Disposition of 17 formal complaints: 1 withdrawal, 4 settlements, 10 Final Agency Decisions without an administrative judge's decision, and 2 Final Agency Orders with an administrative judge's decision

Any findings of discrimination issued against the Agency during the EEOC hearing process were appealed to EEOC's Office of Federal Operations, based on errors of fact and law.

PBGC's Ongoing Commitment to a Model EEO Program and a Look Ahead to FY 2016

- PBGC's senior leadership team, including its Director, demonstrate their commitment to moving the corporation to model EEO program status. Through their support, Agency-wide training, continued barrier analysis, facilitated dialogues to address unconscious bias, and ADR tools were implemented during FY 2015.
- For FY 2016, Agency senior leaders have expressed their backing and resources for continued barrier analysis, expanded integration of equal opportunity, diversity and inclusion into the Agency's strategic operations, proactive prevention, and enhanced complaint processing efficiencies.

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| EEOC FORM 715-01 PART F | U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT |
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**CERTIFICATION of ESTABLISHMENT of CONTINUING
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**

I, Karen Margensey, EEO Director, GS-0260-15, am the

(Insert name above) (Insert official
title/series/grade above)

Principal EEO Director/Official for Pension Benefit Guaranty Corporation
(Insert Agency/Component Name above)

The agency has conducted an annual self-assessment of Section 717 and Section 501 programs against the essential elements as prescribed by EEO MD-715. If an essential element was not fully compliant with the standards of EEO MD-715, a further evaluation was conducted and, as appropriate, EEO Plans for Attaining the Essential Elements of a Model EEO Program, are included with this Federal Agency Annual EEO Program Status Report.

The agency has also analyzed its work force profiles and conducted barrier analyses aimed at detecting whether any management or personnel policy, procedure or practice is operating to disadvantage any group based on race, national origin, gender or disability. EEO Plans to Eliminate Identified Barriers, as appropriate, are included with this Federal Agency Annual EEO Program Status Report.

I certify that proper documentation of this assessment is in place and is being maintained for EEOC review upon request.

Karen Margensey *12/18/2015*
Signature of Principal EEO Director/Official Date
Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.

Alice ... *1/19/2016*
Signature of Agency Head or Agency Head Designee Date

| EEOC FORM 715-01 PART G | <i>U.S. Equal Employment Opportunity Commission</i> FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT | | | |
|--|---|-----------------------------|----------|---|
| Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP Requires the agency head to issue written policy statements ensuring a workplace free of discriminatory harassment and a commitment to equal employment opportunity. | | | | |
|  Compliance Indicator | EEO policy statements are up-to-date. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes X | No | |
| Was the EEO policy Statement issued within 6 - 9 months of the installation of the Agency Head? If no, provide an explanation. | | X | | The Acting Agency Head was installed on May 21, 2015. The EEO policy statement was issued on August 20, 2015. |
| During the current Agency Head's tenure, has the EEO policy Statement been re-issued annually? If no, provide an explanation. | | X | | |
| Are new employees provided a copy of the EEO policy statement during orientation? | | X | | |
| When an employee is promoted into the supervisory ranks, is s/he provided a copy of the EEO policy statement? | | X | | |
|  Compliance Indicator | EEO policy statements have been communicated to all employees. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes X | No | |
| Have the heads of subordinate reporting components communicated support of all agency EEO policies through the ranks? | | | X | N/A - PBGC has no subordinate bureaus. |
| Has the agency made written materials available to all employees and applicants, informing them of the variety of EEO programs and administrative and judicial remedial procedures available to them? | | X | | |
| Has the agency prominently posted such written materials in all personnel offices, EEO offices, and on the agency's internal website? [see 29 CFR §1614.102(b)(5)] | | X | | |

|  Compliance Indicator | Agency EEO policy is vigorously enforced by agency management. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|--|--|----------------------|----|--|
| | | Yes | No | |
|  Measures | | X | | |
| Are managers and supervisors evaluated on their commitment to agency EEO policies and principles, including their efforts to: | | X | | |
| resolve problems/disagreements and other conflicts in their respective work environments as they arise? | | X | | |
| address concerns, whether perceived or real, raised by employees and following-up with appropriate action to correct or eliminate tension in the workplace? | | X | | |
| support the agency's EEO program through allocation of mission personnel to participate in community out-reach and recruitment programs with private employers, public schools and universities? | | X | | |
| ensure full cooperation of employees under his/her supervision with EEO office officials such as EEO Counselors, EEO Investigators, etc.? | | X | | |
| ensure a workplace that is free from all forms of discrimination, harassment and retaliation? | | X | | |
| ensure that subordinate supervisors have effective managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications ? | | X | | |
| ensure the provision of requested religious accommodations when such accommodations do not cause an undue hardship? | | X | | |
| ensure the provision of requested disability accommodations to qualified individuals with disabilities when such accommodations do not cause an undue hardship? | | X | | |
| Have all employees been informed about what behaviors are inappropriate in the workplace and that this behavior may result in disciplinary actions? | | X | | |
| Describe what means were utilized by the agency to so inform its workforce about the penalties for unacceptable behavior. | | | | |
| Have the procedures for reasonable accommodation for individuals with disabilities been made readily available/accessible to all employees by disseminating such procedures during orientation of new employees and by making such procedures available on the World Wide Web or Internet? | | X | | |
| Have managers and supervisor been trained on their responsibilities under the procedures for reasonable accommodation? | | X | | |

| Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION | | | | |
|---|--|-----------------------------|----------|---|
| Requires that the agency's EEO programs be organized and structured to maintain a workplace that is free from discrimination in any of the agency's policies, procedures or practices and supports the agency's strategic mission. | | | | |
|  Compliance Indicator | The reporting structure for the EEO Program provides the Principal EEO Official with appropriate authority and resources to effectively carry out a successful EEO Program. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | | X | | |
| Is the EEO Director under the direct supervision of the agency head? [see 29 CFR §1614.102(b)(4)] For subordinate level reporting components, is the EEO Director/Officer under the immediate supervision of the lower level component's head official? (For example, does the Regional EEO Officer report to the Regional Administrator?) | | X | | |
| Are the duties and responsibilities of EEO officials clearly defined? | | X | | |
| Do the EEO officials have the knowledge, skills, and abilities to carry out the duties and responsibilities of their positions? | | X | | |
| If the agency has 2 nd level reporting components, are there organizational charts that clearly define the reporting structure for EEO programs? | | | X | N/A – There are no subordinate components. |
| If the agency has 2 nd level reporting components, does the agency-wide EEO Director have authority for the EEO programs within the subordinate reporting components? | | | X | N/A – There are no subordinate components. |
| If not, please describe how EEO program authority is delegated to subordinate reporting components. | | | | |
|  Compliance Indicator | The EEO Director and other EEO professional staff responsible for EEO programs have regular and effective means of informing the agency head and senior management officials of the status of EEO programs and are involved in, and consulted on, management/personnel actions. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | | X | | |
| Does the EEO Director/Officer have a regular and effective means of informing the agency head and other top management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? | | X | | |
| Following the submission of the immediately preceding FORM 715-01, did the EEO Director/Officer present to the head of the agency and other senior officials the "State of the Agency" briefing covering all components of the EEO report, including an assessment of the performance of the agency in each of the six elements of the Model EEO Program and a report on the progress of the agency in completing its barrier analysis including any barriers it identified and/or eliminated or reduced the impact of? | | X | | |

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| Are EEO program officials present during agency deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections for training/career development opportunities, and other workforce changes? | | X | | |
| Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions such as re-organizations and re-alignments? | | X | | |
| Are management/personnel policies, procedures and practices examined at regular intervals to assess whether there are hidden impediments to the realization of equality of opportunity for any group(s) of employees or applicants? [see 29 C.F.R. § 1614.102(b)(3)] | | X | | |
| Is the EEO Director included in the agency's strategic planning, especially the agency's human capital plan, regarding succession planning, training, etc., to ensure that EEO concerns are integrated into the agency's strategic mission? | | X | | |
|  Compliance Indicator | The agency has committed sufficient human resources and budget allocations to its EEO programs to ensure successful operation. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| Does the EEO Director have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity? | | X | | |
| Are sufficient personnel resources allocated to the EEO Program to ensure that agency self-assessments and self-analyses prescribed by EEO MD-715 are conducted annually and to maintain an effective complaint processing system? | | X | | |
| Are statutory/regulatory EEO related Special Emphasis Programs sufficiently staffed? | | X | | |
| Federal Women's Program - 5 U.S.C. 7201; 38 U.S.C. 4214; Title 5 CFR, Subpart B, 720.204 | | X | | |
| Hispanic Employment Program - Title 5 CFR, Subpart B, 720.204 | | X | | |

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| People With Disabilities Program Manager; Selective Placement Program for Individuals With Disabilities - Section 501 of the Rehabilitation Act; Title 5 U.S.C. Subpart B, Chapter 31, Subchapter I-3102; 5 CFR 213.3102(t) and (u); 5 CFR 315.709 | | X | | |
| Are other agency special emphasis programs monitored by the EEO Office for coordination and compliance with EEO guidelines and principles, such as FEORP - 5 CFR 720; Veterans Employment Programs; and Black/African American; American Indian/Alaska Native, Asian American/Pacific Islander programs? | | X | | |
|  Compliance Indicator | The agency has committed sufficient budget to support the success of its EEO Programs. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes X | No | |
| Are there sufficient resources to enable the agency to conduct a thorough barrier analysis of its workforce, including the provision of adequate data collection and tracking systems | | X | | |
| Is there sufficient budget allocated to all employees to utilize, when desired, all EEO programs, including the complaint processing program and ADR, and to make a request for reasonable accommodation? (Including subordinate level reporting components?) | | X | | |
| Has funding been secured for publication and distribution of EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures, etc.)? | | X | | |
| Is there a central fund or other mechanism for funding supplies, equipment and services necessary to provide disability accommodations? | | X | | |
| Does the agency fund major renovation projects to ensure timely compliance with Uniform Federal Accessibility Standards? | | X | | |
| Is the EEO Program allocated sufficient resources to train all employees on EEO Programs, including administrative and judicial remedial procedures available to employees? | | X | | |
| Is there sufficient funding to ensure the prominent posting of written materials in all personnel and EEO offices? [see 29 C.F.R. § 1614.102(b)(5)] | | X | | |
| Is there sufficient funding to ensure that all employees have access to this training and information? | | X | | |
| Is there sufficient funding to provide all managers and supervisors with training and periodic up-dates on their EEO responsibilities: | | X | | |
| for ensuring a workplace that is free from all forms of discrimination, including harassment and retaliation? | | X | | |
| to provide religious accommodations? | | X | | |
| to provide disability accommodations in accordance with the agency's written procedures? | | X | | |

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| in the EEO discrimination complaint process? | X | | |
| to participate in ADR? | X | | |

| Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY | | | | |
|---|---|-----------------------------|----|---|
| This element requires the Agency Head to hold all managers, supervisors, and EEO Officials responsible for the effective implementation of the agency's EEO Program and Plan. | | | | |
|  Compliance Indicator | EEO program officials advise and provide appropriate assistance to managers/supervisors about the status of EEO programs within each manager's or supervisor's area or responsibility. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | Are regular (monthly/quarterly/semi-annually) EEO updates provided to management/supervisory officials by EEO program officials? | X | | |
| | Do EEO program officials coordinate the development and implementation of EEO Plans with all appropriate agency managers to include Agency Counsel, Human Resource Officials, Finance, and the Chief information Officer? | X | | |
|  Compliance Indicator | The Human Resources Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC management directives. [see 29 CFR § 1614.102(b)(3)] | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | Have time-tables or schedules been established for the agency to review its Merit Promotion Program Policy and Procedures for systemic barriers that may be impeding full participation in promotion opportunities by all groups? | X | | |
| | Have time-tables or schedules been established for the agency to review its Employee Recognition Awards Program and Procedures for systemic barriers that may be impeding full participation in the program by all groups? | X | | |
| | Have time-tables or schedules been established for the agency to review its Employee Development/Training Programs for systemic barriers that may be impeding full participation in training opportunities by all groups? | X | | |
|  Compliance Indicator | When findings of discrimination are made, the agency explores whether or not disciplinary actions should be taken. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | | X | | |

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| Does the agency have a disciplinary policy and/or a table of penalties that covers employees found to have committed discrimination? | X | | |
| Have all employees, supervisors, and managers been informed as to the penalties for being found to perpetrate discriminatory behavior or for taking personnel actions based upon a prohibited basis? | X | | |
| Has the agency, when appropriate, disciplined or sanctioned managers/supervisors or employees found to have discriminated over the past two years? | X | | N/A – No findings of discrimination. |

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| If so, cite number found to have discriminated and list penalty /disciplinary action for each type of violation. | | | |
| Does the agency promptly (within the established time frame) comply with EEOC, Merit Systems Protection Board, Federal Labor Relations Authority, labor arbitrators, and District Court orders? | X | | |
| Does the agency review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.? | X | | |

| Essential Element D: PROACTIVE PREVENTION | | | | |
|---|--|-----------------------------|-----------|---|
| Requires that the agency head makes early efforts to prevent discriminatory actions and eliminate barriers to equal employment opportunity in the workplace. | | | | |
|  Compliance Indicator | Analyses to identify and remove unnecessary barriers to employment are conducted throughout the year. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
| | | Yes | No | |
|  Measures | | X | | |
| Do senior managers meet with and assist the EEO Director and/or other EEO Program Officials in the identification of barriers that may be impeding the realization of equal employment opportunity? | | X | | |
| When barriers are identified, do senior managers develop and implement, with the assistance of the agency EEO office, agency EEO Action Plans to eliminate said barriers? | | | X | N/A. No barriers have yet been identified. |
| Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? | | | X | See Part H. N/A. No barriers have yet been identified. |
| Are trend analyses of workforce profiles conducted by race, national origin, sex and disability? | | X | | |
| Are trend analyses of the workforce's major occupations conducted by race, national origin, sex and disability? | | X | | |
| Are trends analyses of the workforce's grade level distribution conducted by race, national origin, sex and disability? | | X | | |
| Are trend analyses of the workforce's compensation and reward system conducted by race, national origin, sex and disability? | | X | | |

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| Are trend analyses of the effects of management/personnel policies, procedures and practices conducted by race, national origin, sex and disability? | | X | | |
|  Compliance Indicator | The use of Alternative Dispute Resolution (ADR) is encouraged by senior management. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes X | No | |
| Are all employees encouraged to use ADR? | | X | | |
| Is the participation of supervisors and managers in the ADR process required? | | X | | |

Essential Element E: EFFICIENCY
Requires that the agency head ensure that there are effective systems in place for evaluating the impact and effectiveness of the agency's EEO Programs as well as an efficient and fair dispute resolution process.

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|--|--|-----------------------------|-----------|---|
|  Compliance Indicator | The agency has sufficient staffing, funding, and authority to achieve the elimination of identified barriers. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes X | No | |
| Does the EEO Office employ personnel with adequate training and experience to conduct the analyses required by MD-715 and these instructions? | | X | | |
| Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715 and these instructions? | | X | | |
| Have sufficient resources been provided to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination under Title VII and the Rehabilitation Act? | | | | N/A-There are no field facilities. |
| Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations in all major components of the agency? | | X | | |
| Are 90% of accommodation requests processed within the time frame set forth in the agency procedures for reasonable accommodation? | | X | | |
|  Compliance Indicator | The agency has an effective complaint tracking and monitoring system in place to increase the effectiveness of the agency's EEO Programs. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes X | No | |

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|--|---|-----------------------------|-----------|---|
| Does the agency use a complaint tracking and monitoring system that allows identification of the location, and status of complaints and length of time elapsed at each stage of the agency's complaint resolution process? | | X | | |
| Does the agency's tracking system identify the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends? | | X | | |
| Does the agency hold contractors accountable for delay in counseling and investigation processing times? | | X | | |
| <p>If yes, briefly describe how:</p> <p>Contracts provide for reductions in contract amounts for overdue/unsatisfactory contractor performance.</p> | | | | |
| Does the agency monitor and ensure that new investigators, counselors, including contract and collateral duty investigators, receive the 32 hours of training required in accordance with EEO Management Directive MD-110? | | X | | |
| Does the agency monitor and ensure that experienced counselors, investigators, including contract and collateral duty investigators, receive the 8 hours of refresher training required on an annual basis in accordance with EEO Management Directive MD-110? | | X | | |
|  Compliance Indicator | The agency has sufficient staffing, funding and authority to comply with the time frames in accordance with the EEOC (29 C.F.R. Part 1614) regulations for processing EEO complaints of employment discrimination. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes X | No | |
| Are benchmarks in place that compare the agency's discrimination complaint processes with 29 C.F.R. Part 1614? | | X | | |
| Does the agency provide timely EEO counseling within 30 days of the initial request or within an agreed upon extension in writing, up to 60 days? | | X | | |
| Does the agency provide an aggrieved person with written notification of his/her rights and responsibilities in the EEO process in a timely fashion? | | X | | |
| Does the agency complete the investigations within the applicable prescribed time frame? | | X | | |
| When a complainant requests a final agency decision, does the agency issue the decision within 60 days of the request? | | X | | |
| When a complainant requests a hearing, does the agency immediately upon receipt of the request from the EEOC AJ forward the investigative file to the EEOC Hearing Office? | | X | | |
| When a settlement agreement is entered into, does the agency timely complete any obligations provided for in such agreements? | | X | | |
| Does the agency ensure timely compliance with EEOC AJ decisions which are not the subject of an appeal by the agency? | | X | | |

|  Compliance Indicator | There is an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of the agency's EEO complaint processing program. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----------|---|
| | | Yes X | No | |
|  Measures | | | | |
| | In accordance with 29 C.F.R. §1614.102(b), has the agency established an ADR Program during the pre-complaint and formal complaint stages of the EEO process? | X | | |
| | Does the agency require all managers and supervisors to receive ADR training in accordance with EEOC (29 C.F.R. Part 1614) regulations, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? | X | | |
| | After the agency has offered ADR and the complainant has elected to participate in ADR, are the managers required to participate? | X | | |
| | Does the responsible management official directly involved in the dispute have settlement authority? | | X | In FY15, PBGC's CFO held settlement authority; however, management officials were consulted. |
|  Compliance Indicator | The agency has effective systems in place for maintaining and evaluating the impact and effectiveness of its EEO programs. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
| | | Yes X | No | |
|  Measures | | | | |
| | Does the agency have a system of management controls in place to ensure the timely, accurate, complete and consistent reporting of EEO complaint data to the EEOC? | X | | |
| | Does the agency provide reasonable resources for the EEO complaint process to ensure efficient and successful operation in accordance with 29 C.F.R. § 1614.102(a)(1)? | X | | |
| | Does the agency EEO office have management controls in place to monitor and ensure that the data received from Human Resources is accurate, timely received, and contains all the required data elements for submitting annual reports to the EEOC? | X | | |
| | Do the agency's EEO programs address all of the laws enforced by the EEOC? | X | | |
| | Does the agency identify and monitor significant trends in complaint processing to determine whether the agency is meeting its obligations under Title VII and the Rehabilitation Act? | X | | |
| | Does the agency track recruitment efforts and analyze efforts to identify potential barriers in accordance with MD-715 standards? | X | | |
| | Does the agency consult with other agencies of similar size on the effectiveness of their EEO programs to identify best practices and share ideas? | X | | |

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|  Compliance Indicator | The agency ensures that the investigation and adjudication function of its complaint resolution process are separate from its legal defense arm of agency or other offices with conflicting or competing interests. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | | X | | |
| Are legal sufficiency reviews of EEO matters handled by a functional unit that is separate and apart from the unit which handles agency representation in EEO complaints? | | X | | |
| Does the agency discrimination complaint process ensure a neutral adjudication function? | | X | | |
| If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? | | X | | |

Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE
This element requires that federal agencies are in full compliance with EEO statutes and EEOC regulations, policy guidance, and other written instructions.

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|  Compliance Indicator | Agency personnel are accountable for timely compliance with orders issued by EEOC Administrative Judges. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | | X | | |
| Does the agency have a system of management control to ensure that agency officials timely comply with any orders or directives issued by EEOC Administrative Judges? | | X | | |
|  Compliance Indicator | The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|  Measures | | Yes | No | |
| | | X | | |
| Does the agency have control over the payroll processing function of the agency? If Yes, answer the two questions below. | | X | | |
| Are there steps in place to guarantee responsive, timely, and predictable processing of ordered monetary relief? | | X | | |
| Are procedures in place to promptly process other forms of ordered relief? | | X | | |

|  Compliance Indicator | Agency personnel are accountable for the timely completion of actions required to comply with orders of EEOC. | Measure has been met | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|--|----------------------|----|--|
| | | Yes | No | |
|  Measures | | X | | |
| Is compliance with EEOC orders encompassed in the performance standards of any agency employees? | | X | | |
| If so, please identify the employees by title in the comments section, and state how performance is measured. | The EEO Director and EEO Attorney Advisor's performance plans require compliance with EEOC orders. Performance is measured by quality and timeliness of compliance with EEOC orders. | | | |
| Is the unit charged with the responsibility for compliance with EEOC orders located in the EEO office? | | X | | |
| If not, please identify the unit in which it is located, the number of employees in the unit, and their grade levels in the comments section. | | | | |
| Have the involved employees received any formal training in EEO compliance? | | X | | |
| Does the agency promptly provide to the EEOC the following documentation for completing compliance: | | X | | |
| Attorney Fees: Copy of check issued for attorney fees and /or a narrative statement by an appropriate agency official, or agency payment order dating the dollar amount of attorney fees paid? | | X | | |
| Awards: A narrative statement by an appropriate agency official stating the dollar amount and the criteria used to calculate the award? | | X | | |
| Back Pay and Interest: Computer print-outs or payroll documents outlining gross back pay and interest, copy of any checks issued, narrative statement by an appropriate agency official of total monies paid? | | X | | |
| Compensatory Damages: The final agency decision and evidence of payment, if made? | | X | | |
| Training: Attendance roster at training session(s) or a narrative statement by an appropriate agency official confirming that specific persons or groups of persons attended training on a date certain? | | X | | |
| Personnel Actions (e.g., Reinstatement, Promotion, Hiring, Reassignment): Copies of SF-50s | | X | | |
| Posting of Notice of Violation: Original signed and dated notice reflecting the dates that the notice was posted. A copy of the notice will suffice if the original is not available. | | X | | |
| Supplemental Investigation: 1. Copy of letter to complainant acknowledging receipt from EEOC of remanded case. 2. Copy of letter to complainant transmitting the Report of Investigation (not the ROI itself unless specified). | | X | | |

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| 3. Copy of request for a hearing (complainant's request or agency's transmittal letter). | | | |
| Final Agency Decision (FAD): FAD or copy of the complainant's request for a hearing. | X | | |
| Restoration of Leave: Print-out or statement identifying the amount of leave restored, if applicable. If not, an explanation or statement. | X | | |
| Civil Actions: A complete copy of the civil action complaint demonstrating same issues raised as in compliance matter. | X | | |
| Settlement Agreements: Signed and dated agreement with specific dollar amounts, if applicable. Also, appropriate documentation of relief is provided. | X | | |

**EEOC FORM
715-01 PART H
U.S. Equal Employment Opportunity Commission
FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT
EEO Plan To Attain the Essential Elements of a Model EEO Program**

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|---|---|
| FY 2015 Name of Agency of Reporting Component: PBGC | |
| STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT | Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP |
| OBJECTIVES: | Ensure updated EEO and Prevention of Workplace Harassment Policy Statements are re-issued annually. Managers and supervisors are evaluated on their commitment to agency EEO principles, to include specific efforts in ensuring requests for reasonable accommodations are appropriately addressed, and ensuring that all supervisors and managers are responsible along with EEO Officials for the effective implementation of the agency's EEO program and plans. |
| RESPONSIBLE OFFICIAL: | PBGC Director, Executive Management Council (EMC), EEO and HRD Directors and staff, Department Directors and management teams |
| DATE OBJECTIVE INITIATED: | March 2013 |
| TARGET DATE FOR COMPLETION OF OBJECTIVE: | January 2015 and ongoing |
| PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE: | TARGET DATE (Must be specific) |
| Ensure updated EEO and Prevention of Workplace Harassment Policy Statements are re-issued annually | Completed August 2015 and ongoing |
| Incorporate Prevention of Workplace Harassment Policy in EEO Directive 30-3 | December 2016 |
| EEO will collaborate with HRD through ongoing EEO/HR Team meetings and the implementation of PBGC's first Diversity Council to ensure use of meaningful and effective Senior Level and managerial performance standards that clearly demonstrate agency leadership commitment to and accountability for promoting EEO and affirmative employment principles, as well as incorporating the EEOC model agency program compliance indicators and measures. | Completed September 2014 and ongoing |

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| <p>EEO receives from HRD quarterly reports of promotions to supervisory positions, confirms issuance of Policy Statements, and establishes training schedules for mandatory training.</p> | <p>FY 2014 completed; ongoing</p> |
| <p>EEO will review and establish a schedule for ongoing mandatory EEO training courses for both current and new managers and supervisors.</p> <p>EEO will continue to work with HRD through ongoing EEO/HR Team meetings and PBGC's Diversity & Inclusion Strategic Plan initiatives to recommend and coordinate diversity-training courses for both current and new managers, supervisors and employees.</p> | <p>January 2015 completed</p> <p>Completed FY 2015 and ongoing</p> |

REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE:

- Agency leadership strongly supported:
 - Agency-wide distribution of updated EEO and Prevention of Workplace Harassment Policy Statements.
 - MD-715 and NoFEAR Act Quarterly and Annual Reports postings on internal and external websites.
 - Expanded dissemination of information about PBGC's EEO and Diversity and Inclusion programs to employees via new employee orientations, lunch and learn sessions, training sessions, town halls and on the Agency's internal website.
 - PBGC's first Diversity Council, which met monthly during FY 2015, with the Acting Chief Management Officer serving as Executive Sponsor.
 - Agency-wide roll-out of on-line MicroTriggers training offered to all employees.

- See Part E (Executive Summary) for additional information.

U.S. Equal Employment Opportunity Commission
FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT
EEO Plan To Attain the Essential Elements of a Model EEO Program

| FY2015 Name of Agency of Reporting Component: PBGC | | | | | | | | | |
|---|---|--|--|---|-----------|--|-----------------------|--|-----------------------|
| STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY: | Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION Essential Element C : MANAGEMENT AND PROGRAM ACCOUNTABILITY | | | | | | | | |
| OBJECTIVES: | <p>Clearly define the responsibilities and duties of EEO officials; In particular in the HRD/EEO cross functional areas of outreach and recruitment;</p> <p>Ensure EEO Program officials are present and included in deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections for training/career development and other workforce changes;</p> <p>Ensure the agency's EEO Director is included in the agency human capital planning processes, including specifically, recruitment and succession planning, training and development planning, etc., to ensure that EEO becomes fully integrated into the agency strategic mission.</p> | | | | | | | | |
| RESPONSIBLE OFFICIAL(s): | Agency Director, EMC, HRD Director and EEO Director and staff | | | | | | | | |
| DATE OBJECTIVE INITIATED: | June 2013 | | | | | | | | |
| TARGET DATE FOR COMPLETION OF OBJECTIVE: | March 2015 and ongoing | | | | | | | | |
| PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE: | <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 80%;"></th> <th style="text-align: center;">TARGET DATE (Must be specific)</th> </tr> </thead> <tbody> <tr> <td>EEO Director works with HRD to clarify the cross functional roles within the HRD areas of outreach, recruitment, diversity, and workforce demographics.</td> <td style="text-align: center;">June 2016</td> </tr> <tr> <td>EEO Director schedules regular and ongoing EEO Briefings and updates to the Agency Director, EMC, Directors.</td> <td style="text-align: center;">Completed and Ongoing</td> </tr> <tr> <td></td> <td style="text-align: center;">Completed and Ongoing</td> </tr> </tbody> </table> | | TARGET DATE (Must be specific) | EEO Director works with HRD to clarify the cross functional roles within the HRD areas of outreach, recruitment, diversity, and workforce demographics. | June 2016 | EEO Director schedules regular and ongoing EEO Briefings and updates to the Agency Director, EMC, Directors. | Completed and Ongoing | | Completed and Ongoing |
| | TARGET DATE (Must be specific) | | | | | | | | |
| EEO Director works with HRD to clarify the cross functional roles within the HRD areas of outreach, recruitment, diversity, and workforce demographics. | June 2016 | | | | | | | | |
| EEO Director schedules regular and ongoing EEO Briefings and updates to the Agency Director, EMC, Directors. | Completed and Ongoing | | | | | | | | |
| | Completed and Ongoing | | | | | | | | |

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| EEO Director initiates discussion with CMO, Directors of BD, QMD, and HRD, regarding the regulatory need for the agency's EEO Director to be included in the agency strategic planning to ensure that EEO concerns are integrated into the agency strategic mission. | Completed and Ongoing |
| Prepare justification, submit request for additional BATA funding, and work with Budget and Procurement Departments. | Completed and Ongoing |

REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE:

Essential Element B:

- PBGC significantly enhanced constructive collaborative departmental partnerships involving OEEEO which resulted in measurably improved integration of EEO, diversity and inclusion principles throughout the Agency's strategic operations in FY 2015:
 - Agency's Strategic Human Capital Plan
 - PBGC Annual Performance Report
 - Collaborative preparation of FY2015 FEORP, DVAAP, and Hispanic Employment Reports

- See Part E (Executive Summary) for additional information.

Essential Element C:

- The Acting Agency Head affirmatively supported achievement of the equal opportunity, diversity and inclusion goals and accomplishments and provided periodic feedback/evaluation of the EEO Director's performance.
- Agency policies, procedures, and practices were examined for hidden impediments to equal opportunity for groups of employees or applicants. Such reviews touched all aspects of PBGC operations:
 - Preserving plans and protecting pensioners.
 - Paying timely and accurate benefits.
 - Maintaining high standards of stewardship and accountability.
- See Part E (Executive Summary) for additional information.

**EEOC FORM
715-01 PART H
U.S. Equal Employment Opportunity Commission
FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT
EEO Plan To Attain the Essential Elements of a Model EEO Program**

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| FY2015 Name of Agency of Reporting Component: PBGC | |
| STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY: | Essential Element D : PROACTIVE PREVENTION |
| OBJECTIVES: | <p>Senior managers meet with and assist the EEO Director and EEO program officials in the identification of barriers that may be impeding the realization of equal employment opportunity;</p> <p>Senior managers successfully implement EEO Action Plans and incorporate plan objectives into the agency strategic plans;</p> |
| RESPONSIBLE OFFICIAL: | <p>Management officials (Department Directors, managers and supervisors) EEO Director and staff, Human Resources Director and staff</p> |
| DATE OBJECTIVE INITIATED: | <p>April 2013</p> |
| TARGET DATE FOR COMPLETION OF OBJECTIVE: | <p>December 2014 and ongoing</p> |
| PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE: | TARGET DATE (Must be specific) |
| <p>The EEO Office will continue sharing and communicating its overall EEO Strategic Goals and engage at least one PBGC department to successfully develop and implement an organizational EEO Plan.</p> <p>The EEO Office will continue to monitor and assess trends of organizational workforce demographics to determine potential areas of opportunities/improvements</p> | <p>Began November 2014 and ongoing</p> |

REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE:

- PBGC has made significant progress in providing all managers, supervisors and employees with information to orient them to their rights and responsibilities under the various anti-discrimination and anti-retaliation laws that apply in the federal sector through posters, intranet content, all-employee emails, and policy statements from the Agency Head. Targeted guidance for managers has also been provided, including providing a copy of the Agency's *EEO* and *Prevention of Workforce Harassment Policy Statements* and intranet manager resources to each newly on-boarded or promoted supervisor or manager.
- The Agency conducted multiple, frequent, well-attended and well-received presentations and trainings via staff meetings, brown bag lunch topic discussions, briefings to employee resource groups, and formal trainings of PBGC managers and staff in the areas of equal employment opportunity, diversity, inclusion, reasonable accommodation, conflict resolution, respect, unconscious bias, correcting workplace harassment, etc.
- See Part E (Executive Summary) for additional information.

| EEOC FORM 715-01 PART I | U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT | |
|---|---|--|
| Agency Name: Pension Benefit Guaranty Corporation | FY 2015/16 | |
| STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier? | <p>The Office of Equal Employment worked closely with a qualified contracting firm to conduct an initial Barrier and Trends Analysis (BATA) for the first time at PBGC, which took place in FY 2012.</p> <p>The BATA initial report concluded that overall, Hispanics are underutilized in the PBGC workforce; the recruitment, selection, and hiring process is not yielding Hispanics commensurate with their availability in the CLF and the applicant pool; Hispanics are not promoted or receiving rewards at the same rate as their peers, and Hispanics voluntarily separate at a rate higher than their representation in the PBGC total workforce.</p> <p>In FY2015, the EEO Office provided PBGC's Hispanic Organization for Leadership and Advancement (HOLA) with current applicant pool and separation data and established a collaborative effort to conduct Barrier Analysis.</p> | |
| BARRIER ANALYSIS: Provide a description of the steps taken and data analyzed to determine cause of the condition. | <p>Conducted a three-year (2008-2010) data analysis of PBGC's workforce data to identify: any areas of underutilization or less than anticipated representation* in particular job and workforce groups; any overall net changes for each gender and race group; to conduct adverse impact analysis*, where appropriate; to identify any areas to increase opportunities in hiring and selections, and to identify promotion, separation and award ratios and any discrepancies in these areas.</p> <p>*Triggers were identified through analysis of Tables A and B1-6; Tables A7, A9, A11, A13, and B7, B9, B11 and B13</p> <p>IN FY 16 Barrier Analysis plans will be focused on recruitment, hiring and the applicant pool and at least one additional employment life cycle area.</p> | |
| STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition. | No barriers have yet been identified. | |

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| OBJECTIVE: State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition. | | Work with management and staff to identify any barriers and develop effective strategies and action plans. Provide recommendations to agency management and HRD to overcome any identified triggers/barriers and to assist with increasing opportunities for Hispanics at PBGC and promoting a diverse and inclusive work place. |
| RESPONSIBLE OFFICIAL: | | EEO and HRD Directors and Staff, PBGC Department Directors and Management Team; PBGC staffing specialists, D&I Council, affinity groups/representatives and diverse employee |
| DATE OBJECTIVE INITIATED: | | January 2015 |
| TARGET DATE FOR COMPLETION OF OBJECTIVE: | | September 2016 and ongoing |
| EEOC FORM 715-01 PART I | EEO Plan To Eliminate Identified Barrier | |
| PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE: | | TARGET DATE (Must be specific) |
| Begin working closely with EEO, HRD and employee advocacy group/organizations to assess needs and identify resources to assist in addressing any identified triggers/barriers and address the need and value of a Hispanic Employment Program Manager or POC | | January 2016 |
| Collect best practices from other agencies, which have been successful in recruiting, hiring and retaining individuals from diverse communities. | | February 2016 |
| Work with management and HRD to establish relationships within communities and organizations and develop partnerships to assist in addressing each area of the work life cycle, where triggers or barriers might be identified. | | March 2016 |
| Review Hispanic applicant pool and exit interview data on a quarterly basis to identify trends in hiring and retention of Hispanics. | | June 2016 |
| Develop a plan and submit recommendations to HRD & management on strategies to work together to provide more opportunities at PBGC for Hispanics and to promote a diverse and inclusive work environment. | | September 2016 |

REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE

- PBGC's Hispanic Organization for Leadership and Advancement (HOLA) collaborated with HACU students to start a database to share job openings at PBGC & started an initiative to welcome HACU students as HOLA representatives in order to create a closer relationship between the two groups
- HOLA together with Special Emphasis Program hosted the PBGC Hispanic Heritage Month event, Nuestra Cultura Café. The event was well attended, PBGC's new Director provided opening remarks and very positive feedback was received.
- Steps were initiated to begin a focus group to address PBGC hiring/retention and promotion of PBGC Hispanic Employees with EEO, HOLA and HRD.
- A representative from HOLA participates in the National Council of Hispanic Employment Program Managers. HOLA works together with HRD to share recruitment news, fairs information, etc.
- An FY 2015 Special Achievement Award was awarded to HOLA's Spanish Teachers Team for lessons provided during the previous FY. Instructors prepared lessons during their own time and provided a total of 16 lessons during bi-weekly, 30 minute conversational sessions. The HOLA Spanish Teachers Team volunteered to create the program, developed curriculum and lesson plans, gathered supplies and reference manuals, provided hand-outs, and designed Power Point presentations. The courses were available to all PBGC employees and Senior Management attended.
- For the 20th consecutive year, PBGC continued to operate a robust Hispanic Association of Colleges and Universities (HACU) Program, hosting a class of 26 summer interns and four fall interns in FY 2015, the largest class yet.

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| EEOC FORM 715-01 PART I | U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT | |
| Agency Name: Pension Benefit Guaranty Corporation | FY 2015/16 | |
| STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier? | <p>The Office of Equal Employment worked closely with a qualified contracting firm to conduct initial Barrier and Trends Analysis (BATA) for the first time at PBGC, which took place in FY2012.</p> <p>The BATA initial report concluded that overall, persons with targeted disabilities (PWTD's) are not fully utilized in the PBGC workforce compared to the Federal and PBGC goal of 2.00%. Additionally, applicants with targeted disabilities are hired at a lower rate than their availability in the CLF. The rate of promotion as well as the rate in which PWTDs receive rewards is lower as compared to people without disabilities.</p> | |
| BARRIER ANALYSIS: Provide a description of the steps taken and data analyzed to determine cause of the condition. | <p>PBGC's contractor conducted a three-year (2008-2010) data analysis of PBGC's workforce data to identify: any areas of underutilization or less than anticipated representation* in particular job and workforce groups; any overall net changes for each gender and race group; to conduct adverse impact analysis*, where appropriate; to identify any areas to increase opportunities in hiring and selections, and to identify promotion, separation and award ratios and any discrepancies in these areas.</p> <p>*Triggers were identified through analysis of Tables A and B1-6; Tables A and B-7, A9, A11, A13, and B9, B11 and B13</p> | |
| STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition. | <p>No barriers have yet been identified.</p> | |
| OBJECTIVE: State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition. | <p>With management and the Disability Program Manager, develop strategies to identify barriers and develop effective corrective action plans. Provide recommendations to agency management and HRD to overcome any identified triggers/barriers to increasing needed opportunities, increasing the hiring of persons with targeted disabilities, and fully utilizing PWTD's throughout the work life cycle at PBGC and promote a diverse and inclusive workplace.</p> | |
| RESPONSIBLE OFFICIAL: | <p>EEO and HRD Directors and Staff, PBGC Department Directors and Management Team, Disability Program Manager and diverse employee and affinity groups/representatives.</p> | |
| DATE OBJECTIVE INITIATED: | <p>December 2015</p> | |

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| TARGET DATE FOR COMPLETION OF OBJECTIVE: | December 2016 and ongoing | |
| EEOC FORM 715-01 PART I | EEO Plan To Eliminate Identified Barrier | |
| PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE: | TARGET DATE (Must be specific) | |
| Collaborate with Disability Program Manager (DPM) to review PBGC workforce data and review the PWD applicant pool at PBGC for various grade levels. Conduct trend and barrier analysis on the identified work life cycle trigger areas and discuss ways to provide needed opportunities to promote a diverse and inclusive work environment. Collect best practices from other agencies, which have been successful in recruiting, hiring, retaining and overall work life enhancement for individuals with disabilities. | February 2016 | |
| Identify resources to assist in addressing any identified trends/barriers, collaborating closely with DPM and HRD. | April 2016 | |
| Engage management and HRD to establish relationships within communities and organizations and develop partnerships to assist in addressing each area of the work life cycle, where triggers or barriers may have been identified. | October 2016 | |
| REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE | | |
| <ul style="list-style-type: none"> • The Human Resources Department (HRD) continued offering their Disability Awareness Series for all employees and continued offering training sessions for managers and supervisors on Schedule A and the Workforce Recruitment Program. • HRD continued to provide Reasonable Accommodations training for managers and supervisors and conducted five mandatory training sessions. • The agency launched and implemented a “Why Hire a Disabled Veteran?” media campaign, encouraging hiring managers to consider the benefits of hiring disabled veterans. • The agency continued to send representatives to disabled veteran recruiting fairs/events. • As a result of the strategies implemented in PBGC’s Fiscal Year 2014-15 Disabled Veterans Affirmative Action Program (DVAAP) Plan, in FY 2015, PBGC hired 5 new Persons with Disabilities including two with targeted disabilities. This is a 0.2 percent increase over last year’s hiring of disabled veterans. | | |

| EEOC FORM 715-01 PART I | U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT | |
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| Agency Name: Pension Benefit Guaranty Corporation | FY 2015/16 | |
| STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier? | <p>The Office of Equal Employment worked closely with a qualified contracting firm to conduct an initial Barrier and Trends Analysis (BATA) for the first time at PBGC, which took place in FY 2012.</p> <p>The BATA initial report concluded that overall, PBGC is doing a good job of recruiting, selecting, and hiring African-American/Black candidates, however, there are specific aspects of the employee life cycle impacting African-American/Black employees that need further attention such as career ladder promotions, rewards, and complaints.</p> <p>The BATA initial report concluded that overall, Asians are well represented within the agency, however, they are not fully utilized in the higher grade levels, they have less than anticipated representation in career ladder promotions, awards are not proportionate to their representation in the PBGC workforce, and they tend to separate at a rate higher than their representation.</p> <p>The BATA initial report concluded that overall, Whites are well-represented at higher levels within the organization. However, they are not fully utilized in lower grade levels of the PBGC workforce. Whites receive lower than anticipated rates of promotions relative to their representation in the PBGC workforce, and White females tend to voluntarily separate at a higher rate than their representation. However, Whites are rewarded at and at times above their representation.</p> | |
| BARRIER ANALYSIS: Provide a description of the steps taken and data analyzed to determine cause of the condition. | <p>Conducted a three-year (2008-2010) data analysis of PBGC's workforce data to identify: any areas of underutilization or less than anticipated representation* in particular job and workforce groups; any overall net changes for each gender and race group; to conduct adverse impact analysis*, where appropriate; to identify any areas to increase opportunities in hiring and selections, and to identify promotion, separation and award ratios and any discrepancies in these areas.</p> | |

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| | <p>*Triggers were identified through analysis of Tables A and B1-6; Tables A7, A9, A11, A13, and B7, B9, B11 and B13</p> <p>In FY 2014 and 15 Barrier Analysis outreach plans began and were expanded with individual PBGC organizations to focus on specific organizational needs and trends in recruitment, hiring, applicant pool, complaint, grade level distribution, promotion and award data reviews and additional employment life cycle areas.</p> |
| <p>STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p> | <p>No barriers have yet been identified.</p> |
| <p>OBJECTIVE: State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p> | <p>Work with management and staff to identify any trends/barriers and develop effective strategies and action plans. Provide recommendations to agency management and HRD to overcome any identified overarching triggers/barriers and to assist with increasing opportunities all PBGC staff and promoting a diverse and inclusive work place.</p> |

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| <p>RESPONSIBLE OFFICIAL:</p> | <p>Department Directors, Management and staff; EEO and HRD Directors and Staff, PBGC staffing specialists, affinity groups/representatives and diverse employees.</p> |
| <p>DATE OBJECTIVE INITIATED:</p> | <p>December 2014</p> |
| <p>TARGET DATE FOR COMPLETION OF OBJECTIVE:</p> | <p>December 2016 and ongoing</p> |

| EEOC FORM 715-01 PART I | EEO Plan To Eliminate Identified Barrier | |
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| PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE: | TARGET DATE (Must be specific) | |
| Begin working closely with individual PBGC organizations to assess needs and identify resources to assist in addressing any identified triggers/barriers. | October 2015 | |
| Review at least 3 years of the most current workforce data to identify the most significant employee life cycle trends. | March 2016 | |
| Collect best practices from other agencies, which have been successful in recruiting, hiring and retaining individuals from diverse communities. | March 2016 | |
| Work with management and HRD to establish relationships within communities and organizations and develop partnerships to assist in addressing each area of the work life cycle, where triggers or barriers might be identified. | June 2016 | |
| Develop a plan and submit recommendations to Department management and HRD, as applicable on strategies to work together to provide more opportunities for staff, promote a diverse and inclusive work environment and increase employee engagement | December 2016 and ongoing | |
| REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE | | |
| <ul style="list-style-type: none"> • PBGC offered a valuable online course “<i>What’s Your MicroTrigger?</i>” to all employees. This interactive course was designed to help employees understand how unconscious behaviors can impact the workplace and how small changes can positively improve team work, efficiency and the ability to solve problems. • PBGC’s EEO Office conducted barrier analysis outreach to three organizations, consisting of multiple departments (representing 48% of the overall workforce). The outreach included providing workforce climate assessments, workforce demographics and commencing/continuing dialogues about overall workforce demographics, possible triggers and barriers assessments and review and integration of employee engagement feedback, which will continue through FY 2016. | | |