

January 2017

Equal Employment Opportunity (EEO) program status report for fiscal year (FY) 2016



Consumer Financial
Protection Bureau

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1. Agency identifying information

TABLE 1: AGENCY IDENTIFYING INFORMATION

Part A	
1. Agency	Consumer Financial Protection Bureau (CFPB or Bureau)
2. Address	1700 G Street NW
3. City, State, Zip code	Washington, D.C. 20552
4. CPDF Code	FRFT
5. ANSI codes	11001, 06075, 17031, 36061

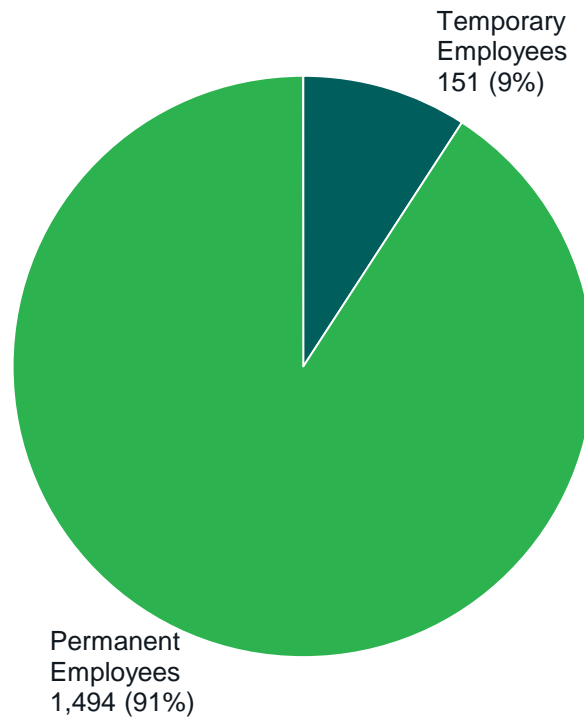
2. Total employment

TABLE 2: TOTAL EMPLOYMENT

Part B	
Permanent full-time and part-time employees	1,494
Temporary employees	151
Employees paid from non-appropriated funds	0
Total employment	1,645

Data as of September 30, 2016. Workforce numbers for FY 2015 included in this FY 2016 Status Report may differ slightly from corresponding data reported in the FY 2015 Status Report. This is due to retroactive processing of personnel actions, late processing of personnel actions, or other changes made in applicable data systems since the data was finalized for the FY 2015 Status Report.

FIGURE 1: TOTAL EMPLOYMENT



3. Leadership

TABLE 3: LEADERSHIP

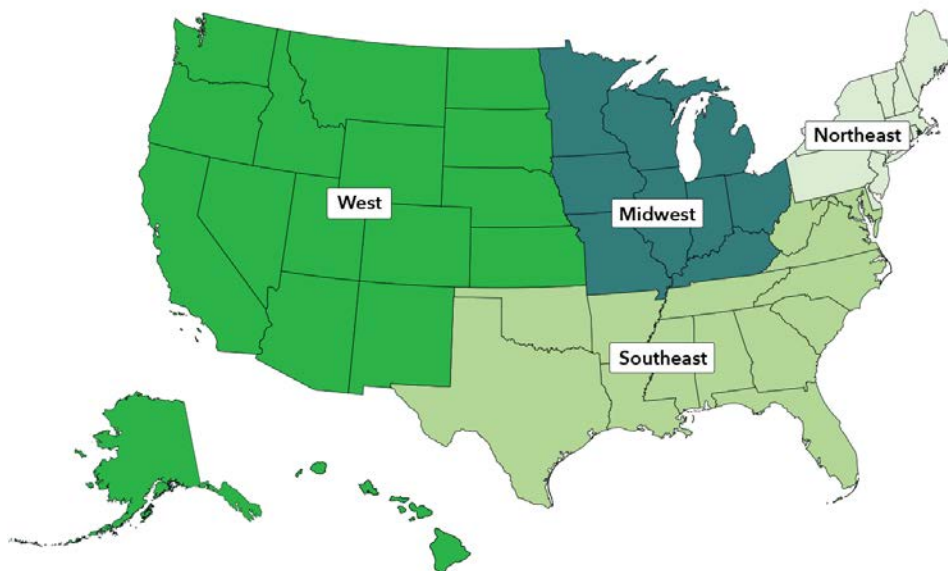
Part C	
Head of agency	Richard Cordray Director Consumer Financial Protection Bureau
Agency Head Designees	Stuart Ishimaru Director Office of Equal Opportunity & Fairness
	M. Stacey Bach Director Office of Civil Rights



Richard Cordray, Director, Consumer Financial Protection Bureau

4. List of subordinate components covered in this report

FIGURE 2: CFPB SUPERVISION REGIONS



Regions

- Northeast
- Southeast
- Midwest
- West

5. Executive summary

Overview

This Equal Employment Opportunity (EEO) Program Status Report for Fiscal Year (FY) 2016 is prepared and submitted pursuant to the Equal Employment Opportunity Commission's Management Directive 715 (MD-715), and accompanying instructions and guidance. This report highlights accomplishments by the Consumer Financial Protection Bureau (CFPB or the Bureau or the Agency) in FY 2016 in continuing to establish and solidify its EEO Program. This report also identifies areas where the Bureau will take further actions to enhance its EEO Program.

Mission

CFPB is the nation's first federal agency focused solely on consumer financial protection. The Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. No. 111-203) (July 21, 2010) (Dodd-Frank Act) created CFPB to protect consumers and to encourage fair and competitive consumer financial markets. CFPB officially began operations on July 21, 2011. At the end of FY 2016, the Bureau consisted of 1,645 employees (permanent and temporary).

CFPB's mission is to make markets for consumer financial products and services work for people in America – whether they are applying for a mortgage, choosing among credit cards, or using any number of other consumer financial products. CFPB helps consumer finance markets work by making rules more effective, by consistently and fairly enforcing those rules, and by empowering consumers to take more control over their lives. When CFPB achieves its mission, it will have facilitated the development of a consumer finance marketplace where consumers can see prices and risks and can easily make product comparisons. The envisioned consumer finance marketplace will work for consumers in America, responsible providers, and the economy.

CFPB is achieving its mission and vision through data-driven analysis, innovative use of technology, and valuing great teamwork and top talent. CFPB is using data purposefully to support informed decision-making in all internal and external functions. CFPB strives to be an

innovative, 21st century agency in its approach to technology. Finally, CFPB invests in world-class training, development, and support to create an environment that encourages employees at all levels to tackle complex challenges.

To accomplish these goals, CFPB is divided into six Divisions:

- Consumer Education & Engagement (CEE)
- Supervision, Enforcement, & Fair Lending (SEFL)
- Research, Markets, & Regulations (RMR)
- External Affairs (EA)
- Legal (LD)
- Operations (OPS)

These Divisions work together to:

- Write rules, supervise regulated entities, and enforce federal consumer financial protection laws;
- Restrict unfair, deceptive, or abusive acts or practices;
- Take consumer complaints;
- Promote financial education;
- Research consumer behavior;
- Monitor financial markets for new risks to consumers; and
- Enforce laws that prohibit discrimination and other unfair treatment in consumer finance.

EEO Structure

The accomplishments and developments highlighted in this report stem from collaboration between the various CFPB offices responsible for aspects of the Agency's EEO program. The Bureau has an Office of Equal Opportunity & Fairness (OEOF), which is housed directly in the Office of the Director of CFPB. OEOF is comprised of the Office of Civil Rights (OCR) and the

Office of Minority and Women Inclusion (OMWI). The Director of OEOF reports directly to the Director of CFPB.

OCR has operated since February 2013. It works to ensure that CFPB complies with all federal EEO laws and related civil rights protections; provides a neutral forum for the discussion, investigation, and resolution of certain EEO matters; and strives to integrate EEO into CFPB's everyday work. OCR also works to empower individuals to participate constructively to their fullest potential in support of CFPB's mission. OCR endeavors to ensure that CFPB reflects the rich diversity of the nation and provides a full and fair opportunity for all employees and applicants, and that CFPB employees have the working environment that will support them in their efforts to protect consumers.

Among other services, OCR provides policy and technical advice on EEO and civil rights to the CFPB Director and senior leadership, and manages the Bureau's EEO complaint process pursuant to 29 C.F.R. Part 1614. The Bureau's EEO Program works to ensure the EEOC's six essential elements of a model EEO Program are incorporated into the fabric of the Bureau, thus supporting the goal of maintaining a discrimination-free workplace for all.

The Director of OCR (like the Director of OEOF) reports directly to the Director of CFPB.¹ OCR emphasizes and maintains its neutrality and impartiality, which is critical to having an efficient and fair EEO complaint resolution process. This ensures that employees and managers know that the pre-complaint and investigation stages of the Part 1614 process are not adversarial, that OCR will provide a neutral and impartial factual record, and that, when requested, OCR will issue a final decision assessing the facts and law to determine whether or not one or more of the applicable employment discrimination laws have been violated.

The OCR Director exercises full authority to carry out the Part 1614 functions of OCR without Legal Division (i.e., General Counsel) involvement, thus ensuring impartiality and removing any possible conflict of interest. Legal resources within OCR make this possible. OCR staff, sometimes with the assistance of contractors, conducts legal sufficiency reviews of EEO matters,

¹ The OCR Director is a CFPB Assistant Director. For purposes of this report, the term "OCR Director" will be used.

which includes issuing accept/dismiss decisions addressing jurisdiction over and scope of claims set forth in formal complaints, Reports of Investigations (ROIs), and Final Agency Decisions (FADs). The Legal Division, which defends the Bureau in these matters, is firewalled from all activities within OCR and only participates during adversarial portions of the EEO process (hearings and appeals), and during settlement negotiations, or to provide appropriate legal advice or assistance when a manager or supervisor requests it during the course of an EEO investigation. All other Bureau offices are similarly firewalled and kept separate as necessary and appropriate to avoid conflicting or competing interests.

At the same time, while OCR maintains primary responsibility for the Agency's overall EEO program, it collaborates extensively with both OMWI and the Bureau's Office of Human Capital (OHC) to ensure fairness and equality under the law for all employees and applicants for employment. Pursuant to Section 342 of the Dodd-Frank Act, OMWI develops standards for equal employment opportunity and diversity, which OHC incorporates into CFPB Human Capital Management. OCR, OMWI, and OHC monitor the impacts and results of these standards, cultivate successful policies and practices to reinforce them, and develop enhancement strategies to strengthen all EEO and diversity and inclusion programs Bureau-wide. OCR cooperates with OHC, in particular, related to the reasonable accommodation and harassment prevention programs OHC administers. OCR maximizes appropriate partnerships with Bureau leadership, management, diversity committees (such as the Agency's Executive Advisory Council (EAC) and Diversity and Inclusion Council of Employees (DICE)), Employee Resource Groups, other employees, and with the National Treasury Employees Union (NTEU) to achieve OCR's and the Bureau's mission and vision.

EEO self-assessment and action items

Throughout FY 2016, CFPB made significant strides in developing a model EEO Program by conducting self-assessments pursuant to MD-715. CFPB also implemented various action items delineated in its FY 2015 Program Status Report. The Bureau incorporated each of the Six Essential Elements for a model EEO program outlined in MD-715:

- Demonstrated commitment from Agency leadership;
- Integration of EEO into the Agency's strategic mission;
- Management and program accountability;

- Proactive prevention of unlawful discrimination;
- Efficiency; and
- Responsiveness and legal compliance.

5.1 Essential Element 1: Demonstrated commitment from agency leadership

Management Directive 715 requires agency heads and other senior management officials to demonstrate a firm commitment to equality of opportunity for all employees and applicants for employment. According to MD-715:

Agencies must translate equal opportunity into every day practice and make those principles a fundamental part of agency culture. This commitment to equal opportunity must be embraced by agency leadership and communicated through the ranks from the top down. It is the responsibility of each agency head to take such measures as may be necessary to incorporate the principles of equal employment opportunity into the agency's organizational structure. To this end, agency heads must issue a written policy statement expressing their commitment to equal employment opportunity (EEO) and a workplace free of discriminatory harassment.²

During FY 2016, CFPB demonstrated its commitment to ensuring that talented and diverse staff have equal employment opportunities and are treated fairly and with respect, and that Bureau leadership enforces the standards of fairness that it expects of the companies and industries it regulates. The Bureau is dedicated to maintaining a workplace that promotes professionalism and productivity, respects the dignity of all, and embraces education of employees about their

² See Management Directive 715 (Oct. 2003) (MD-715), Model Agency Title VII and Rehabilitation Act Programs, at Section II.A., available at <https://www.eeoc.gov/federal/directives/md715.cfm>.

EEO rights and responsibilities.

Further demonstrating commitment from CFPB leadership, the Bureau ensures that all EEO policy statements are timely and current. Every year, the Agency reissues EEO policy/anti-harassment and No FEAR Act statements. CFPB's Director, Richard Cordray, issued the most recent EEO policy/anti-harassment statement in September 2016, reaffirming the Bureau's zero tolerance for workplace discrimination, harassment, or retaliation. Director Cordray also issued a No FEAR Act statement in September 2016, which is available to all CFPB employees, former employees, and applicants on CFPB's external website (as well as on the Bureau's intranet). CFPB provides all new employees with the No FEAR Act statement, the EEO policy/anti-harassment statement, and other relevant policies during orientation through a live presentation and a take-away "Guide to the Office of Civil Rights," and provides them again to all employees promoted to supervisory ranks. These policy statements affirm that the CFPB Director, the OCR Director, CFPB managers, and front-line supervisors will uphold and enforce EEO and merit system principles. The policy statements make it clear that equal employment opportunities exist for all employees and applicants for employment, regardless of their race, color, religion, sex (including pregnancy, sexual orientation, transgender status, gender identity or expression, gender non-conformity, or sex stereotyping of any kind), national origin, age, disability, genetic information, prior protected EEO-related activity, and/or whistleblower activity.

Further, Director Cordray and senior leadership have publically demonstrated commitment to the EEO program in additional ways. In FY 2016, Director Cordray elevated the position of OCR Director to Executive, reflecting his recognition of the importance of this role to the Bureau's diversity and inclusion and EEO compliance efforts. He also meets monthly with the OCR Director to stay apprised of important EEO-related developments and trends. Similarly, Director Cordray meets monthly with leadership from OMWI to stay informed about diversity-focused initiatives. In FY 2016, Director Cordray also led quarterly diversity and inclusion discussions with leadership of each of the Bureau's various Divisions.

Director Cordray also participates – often in a key role – in the Bureau's special observance celebrations. For instance, during the Bureau's National Disability Employment Awareness Month celebration in the fall of 2015, the Director engaged in a robust discussion with CFPB staff about the experiences of Bureau employees with disabilities. In May 2016, Director Cordray participated in an event for Public Service Recognition Week featuring remarks by Ambassador Andrew Young, who shared about his personal story, his work with Dr. Martin Luther King Jr.,

and his service to the country as U.S. Ambassador to the United Nations and as the mayor of Atlanta. In June 2016, Director Cordray gave opening remarks at CFPB's LGBTQ+ Pride Month celebration, as well.

In addition, every week the Director sends out a "Weekly Message" to all employees highlighting the important work the Bureau has recently accomplished. These communications often include messages regarding EEO and diversity and inclusion, and how these principles relate in practice to the mission and operations of the Bureau. Relevant examples are included in the table below.

TABLE 4: EEO TOPICS IN DIRECTOR'S WEEKLY MESSAGE DURING FY 2016

EEO Topics in Director's Weekly Message	Date of Weekly Message
Highlighted National Disability Employment Awareness Month & Helpful Disability Etiquette Tips	October 5, 2015
Announced Solicitor General Donald Verrilli's upcoming CFPB presentation to discuss LGBTQ+ rights	October 19, 2015
Referenced Dr. Martin Luther King Jr.'s <i>Letter from a Birmingham Jail</i>	October 26, 2015
Announced CFPB NDEAM Event: "My Disability Is One Part of Who I Am"	November 2, 2015
Reflected on Veterans' Day	November 9, 2015
Discussed implementation of Bureau cultural norms, including diversity and inclusion, into day-to-day activities	November 23, 2015
Referenced unfortunate general discourse in the public arena based on race, ethnicity, and religion	December 14, 2015
Noted Ambassador Andrew Young's remarks about the later stages of Dr. Martin Luther King's work	January 19, 2016
Announced the launch of the Bureau's Diversity and Inclusion Council of Employees (DICE)	February 1, 2016
Mentioned Lilly Ledbetter Fair Pay Act Anniversary	February 1, 2016
Announced Black History Month event featuring U.S. Representative Keith Ellison from Minnesota's 5th Congressional District	February 22, 2016
Noted Office of Civil Rights employee Melissa Brand has been honored by the John Jay College of Criminal Justice for her efforts to help transgender employees and federal agencies navigate the gender transition process	February 22, 2016
Discussed CFPB participation at the winter board meeting of the National Hispanic Leadership Agenda	March 7, 2016

EEO Topics in Director's Weekly Message	Date of Weekly Message
Discussed African American Community Leadership roundtable	March 21, 2016
Mentioned Perspective on Civil Rights and Economic Rights Presentation from Ambassador Andrew Young	May 2, 2016
Announced World Day for Cultural Diversity Celebration	May 16, 2016
Addressed Bureau efforts to engage with Spanish-speaking consumers using Twitter and Facebook	May 16, 2016
Discussed Older Americans Month campaign to combat consumer scams	May 16, 2016
Noted Office of Civil Rights employee Daniel Vail Received the EEOC Pride Chai Feldblum Award for LGBTQ+ rights work	May 23, 2016
Noted LGBTQ+ Pride Month and announced release of new Bureau Transgender Non-Discrimination and Inclusion Policy	June 6, 2016
Addressed Orlando shooting impact on LGBTQ+ community, Latino community, and communities of color	June 20, 2016
Announced upcoming LGBTQ+ Pride Month Lunch and Learn events	June 20, 2016
Acknowledged the importance of Ramadan	June 20, 2016
Recapped screening of documentary, "Uniquely Nasty: The U.S. Government's War on Gays" for LGBTQ+ Pride Month	June 27, 2016
Addressed discriminatory practices in mortgage lending that harmed African Americans and other minorities	July 5, 2016
Mentioned Twitter chat in Spanish hosted by the National Council of La Raza in honor of National Homeownership Month	July 5, 2016
Discussed participation in meeting of Federal Interagency Reentry Council on issues relating to how the nation can be more successful in integrating justice-involved individuals back into our society so that they are able to lead productive lives	July 11, 2016
Recapped presentation of keynote remarks at the NAACP's 107th annual convention and discussed economic justice	July 25, 2016
Noted consumer advocates representing national civil rights organizations spoke at CFPB All Hands Meeting	August 8, 2016
Discussed Director's meeting with the Bureau's Diversity and Inclusion Council of Employees (DICE)	August 15, 2016
Announced response to Services and Advocacy for LGBT Elders (SAGE) inquiry regarding coverage of sexual orientation- and gender-identity-related discrimination under laws Bureau enforces	September 6, 2016
Announced the Professional Diversity Network bestowed its Diversity Excellence Award on Bureau, naming it as one of its	September 19, 2016

EEO Topics in Director's Weekly Message	Date of Weekly Message
Top 10 Leading Employers in Diversity from 2,200 employers across the nation	
Discussed roundtable on how student debt affects communities of color	September 19, 2016
Highlighted release of Director's Annual EEO and Workplace Harassment Statement and No Fear Act Notice	September 19, 2016

These are just a few examples of the many actions senior leaders have taken to demonstrate their strong personal commitment to guaranteeing equal employment opportunities for all employees. Director Cordray is a champion of the Bureau's EEO program.

5.2 Essential Element 2: Integration of EEO into agency's strategic mission

Management Directive 715 notes that equality of opportunity is essential to attracting, developing, and retaining the most qualified workforce to support an agency's achievement of its strategic mission. To this end, under MD-715 (and in addition to the regulatory requirements found at 29 C.F.R. § 1614.102(b)(4), as interpreted in Management Directive 110) the Bureau must:

- Maintain a reporting structure that provides the Agency's EEO Director with regular access to the Agency head and other senior management officials for reporting on the effectiveness, efficiency, and legal compliance of the Agency's Title VII and Rehabilitation Act programs. To emphasize the importance of the position, the Agency head should be involved in the selection and performance review of the EEO Director.
- Ensure EEO professionals are involved with, and consulted on, the management and deployment of human resources. The EEO Director should be a regular participant in senior staff meetings and regularly consulted on human resources issues.
- Allocate sufficient resources to create and/or maintain Title VII and Rehabilitation Act programs that (1) identify and eliminate barriers that impair the ability of individuals to compete in the workplace because of race, national origin, sex, or disability; (2) establish and maintain training and education programs designed to provide maximum

opportunity for all employees to advance; and (3) ensure that unlawful discrimination in the workplace is promptly corrected and addressed.

- Attract, develop, and retain EEO staff with the strategic competencies necessary to accomplish the Agency's EEO mission, and interface with Agency officials, managers and employees.
- Recruit, hire, develop, and retain supervisors and managers who have effective managerial, communications, and interpersonal skills. Provide managers and supervisors with appropriate training and other resources to understand and successfully discharge their duties and responsibilities.
- Involve managers and employees in the implementation of the Agency's Title VII and Rehabilitation Act programs.
- Use various media to distribute EEO information concerning federal EEO laws, regulations and requirements, rights, duties, and responsibilities and to promote best workplace practices.³

These aspects of integrating EEO into the Bureau's strategic mission are discussed in greater detail below.

Reporting structure

CFPB's reporting structure allows the OCR Director to have direct and regular access to CFPB's Director and other senior level management officials. OCR is located within OEOF, which is a part of the CFPB Director's Executive Office. The OCR Director reports directly to the CFPB Director on EEO matters and to the OEOF Director on all administrative matters. This reporting structure allows the EEO program to be run efficiently and effectively. Critically, this reporting structure provides the OCR Director with the autonomy and authority needed to carry out a successful EEO Program while also leveraging synergies between the work of OCR and OMWI.

³ See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.B., available at <https://www.eeoc.gov/federal/directives/md715.cfm>.

The major duties and responsibilities of the OCR Director are clearly defined and include developing, implementing, and managing comprehensive, broad-scope CFPB EEO policies, programs, and services. The OCR Director also serves as the principal technical advisor to the CFPB Director and to the Bureau's leadership on EEO and civil rights issues and policies, and is readily available for consultation purposes.

Further, the OCR Director has access to other senior management officials for reporting on the effectiveness, efficiency, and legal compliance of the Bureau's EEO program. The OCR Director meets monthly with CFPB's Director and the CFPB Chief of Staff, and meets with senior leadership, including the CFPB Director, the CFPB Deputy Director, the OMWI Director, and all CFPB Associate Directors to provide updates on the EEO Program. For example, following the submission of the Bureau's FY 2015 EEO Program Status Report, the OCR Director presented to the CFPB's Director and other senior officials the "State of the Agency" briefing, which covered all components of the Bureau's EEO Program Status Report. During other senior leadership meetings, the OCR Director provided additional EEO-related updates to management and supervisory officials. In FY 2016, the Bureau's Quarterly Performance Review (QPR) process also allowed a guided dialogue between OEOF, individual divisions, and the Office of the Director where compliance, diversity, and inclusion metrics are assessed.

Collaboration

To ensure integration of EEO into the Bureau's strategic mission, the OCR Director collaborates closely with OHC and OMWI, as well as other stakeholders across CFPB. Positive working relationships have been established that support information-sharing and best practices among the offices. The Chief Human Capital Officer (CHCO) and OCR Director meet to discuss whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC regulations, Management Directives, and other guidance. Further, OHC confers with OMWI and OCR for advice and consultation for guidance on diversity outreach strategy and approach, training curriculum and goals, and operational improvements that support compliance and diversity before making decisions. For instance, OCR has:

- Continued to participate in the Bureau's efforts to implement the agency's Diversity and Inclusion (D&I) Strategic Plan, first adopted in 2015. This plan outlines CFPB's affirmative employment and diversity and inclusion goals and priorities, and the specific actions that will support them.
- Continued to collaborate with OHC to enhance supervisory and employee training

offered by OHC, to ensure that EEO compliance and diversity and inclusion concepts are addressed in New Employee Orientation, supervisory development and leadership excellence seminars, performance management training, etc.

- Continued to work with OHC to encourage and maintain relationships with, and outreach to, professional organizations that represent Veterans, Disabled Veterans, Hispanics, and other minority constituencies. This includes attending career fairs and professional association meetings throughout the year to meet and provide information on CFPB, and on employment opportunities, including posting vacancies on bulletin boards geared to these groups of professionals. (See more information on the Bureau's overall recruiting efforts below.)
- Partnered with OHC to analyze the results of the Annual Employee Survey (AES) to examine employee perceptions of the Bureau across demographic groups, and to use the Inclusion Quotient index, included in the AES, in planning to help all employees feel a greater sense of inclusion.
- Helped assemble a cross-agency workgroup comprised of senior leaders in OCR, OWMI, OHC, the Executive Advisory Council (EAC), and the Bureau's Office of Strategy to recommend improvements to CFPB's hiring processes to minimize the potential for barriers to employment by various demographic groups.
- Participated on the Working Committee for the Bureau's "Workforce of the Future" (WFF) initiative. WFF was established to focus the Bureau's efforts in building a great organization with the overarching goal of making CFPB a sustainable organization and a great place to work. WFF adopted four "norms" for Bureau culture: (1) We will value diversity and inclusion; (2) We will treat each other as partners, not adversaries; (3) We will be disciplined in how we make decisions and set priorities; and (4) We will hold ourselves and each other accountable for these norms.
- Advised on the development and implementation of the Bureau's new Awards and Recognition program, established to recognize and reward employees for exceptional achievements above and beyond the scope of their normal duties and responsibilities, and to promote the Bureau's core values to Serve, Lead, and Innovate, and the Agency's WFF cultural and behavioral norms.
- Provided technical assistance to the Bureau's Legal Division, OHC Employee and Labor Relations Team, and NTEU in the negotiation of EEO-related articles in the Bureau's

collective bargaining agreement.

- Consulted and collaborated with OHC to analyze and encourage OHC to implement recommendations contained in the Report of Co-Chairs Commissioner Chai Feldblum and Victoria Lipnic of the EEOC's Select Task Force on the Study of Harassment in the Workplace related to effective anti-harassment programs.⁴

OHC, OCR, and OMWI also have continued discussions to better define roles and responsibilities among the offices, and then to acquire and assign additional personnel resources, as necessary, to support the EEO Program.

Resources for the EEO program

During FY 2016, the Bureau allocated additional resources OCR requested to ensure that the EEO Program remains successful and operates in an effective manner. This has proved vital to ensuring integration of EEO into the Agency's strategic mission.

During FY 2016, OCR secured approval to onboard additional full-time and shared resources. OCR hired an individual formerly from the EEOC's Office of Federal Operations (OFO) – with extensive experience as an Appellate Review Attorney and as an Administrative Judge – to serve as the Bureau's EEO Complaints Program Manager. This new program manager focuses on maintaining and enhancing the quality and timeliness of all aspects of the Part 1614 complaint process. OCR also now has a data analyst (sited within OHC and shared with OMWI) to perform trend and other data analyses, such as identifying triggers and barriers to EEO throughout the Bureau.⁵ In addition, OCR procured approval to hire a Conflict Prevention Program Manager to focus on enhancements to EEO and non-EEO alternative dispute resolution (ADR) options. This

⁴ This report can be found at https://www.eeoc.gov/eeoc/task_force/harassment/report.cfm.

⁵ The EEOC defines a "trigger" to mean merely a data point "which alerts the agency to the possible existence of a barrier to equal opportunity." See Frequently Asked Questions About Management Directive 715, at Question 7 (emphasis added), available at https://www.eeoc.gov/federal/directives/qanda_md715.cfm. A "barrier" is a specific agency policy, procedure, or practice that limits employment opportunities for members of a particular EEO group. The presence of a "trigger" does not necessarily suggest that a barrier to equal employment opportunity exists, much less that any possible barrier is unlawful.

individual onboarded early in FY 2017, and has brought extensive expertise from prior positions with the EEOC, the Employment Litigation Section in the Civil Rights Division of the U.S. Department of Justice, and (most recently) the Office of Compliance in Congress, where he led the nationwide ADR program for Congress (30,000+ employees). In an attempt to leverage expertise from within the Bureau, OCR also has detailed a Senior Attorney and leader from another CFPB division for a four-month period to assist OCR in evaluating ADR efforts.

These newer resources add to the existing permanent, full-time OCR staff, which includes the OCR Director, a Senior Counsel, a General Attorney, an EEO Specialist, a Paralegal Specialist, and a Senior Administrative Officer. OCR also shares an Administrative Assistant with OMWI.

The Bureau does not yet have a Disability Program Manager and intends to hire one as soon as feasible. OCR will continue to leverage existing resources and to work with partners in OHC and OMWI to facilitate disability-related programming and affirmative employment efforts, including enhancing efforts as feasible given competing demands – consistent with MD-715 and the EEOC’s new Section 501 affirmative action regulations⁶ – regarding the hiring, promotion, and retention of individuals with disabilities and targeted disabilities at all CFPB pay bands.

In addition, resources (through CFPB staff in OEOF and OHC, contractors, and detailees) are available to identify and work to eliminate barriers to employment for all protected groups. Personnel work together to gather and analyze relevant data (e.g., workforce statistics, complaints data, surveys, focus groups, exit interviews, anecdotal accounts), identify triggers and barriers, devise action plans, and then follow-up to determine the success of the action plans. OCR also has resources available through staff and contractors to ensure that allegations of unlawful discrimination in the workplace are processed in accordance with 29 C.F.R. Part 1614 requirements.

Finally, CFPB has allocated financial resources to create and/or maintain necessary Title VII and Rehabilitation Act programs.

⁶ See 82 Fed. Reg. 654 (Jan. 3, 2017).

Attracting, developing, and retaining EEO staff

One vital element to ensuring that EEO is integrated into the mission of the Bureau is to attract, train, and keep well-qualified staff within OCR. As mentioned above, during FY 2016, OCR hired an EEO Complaints Program Manager who previously worked at the EEOC (for approximately 9 years) as both an Administrative Judge and an Appellate Review Attorney within the EEOC's OFO. As also mentioned above, in FY 2016 OCR was allocated additional personnel resources to address critical programmatic needs, such as ADR. During FY 2016, OCR retained all of its permanent, full-time staff members, many of whom were first hired soon after OCR was established in FY 2013. (In FY 2016 an administrative assistant in OEOF did depart to join another federal agency, and OEOF has subsequently onboarded this person's replacement. In early FY 2017, an OCR EEO Specialist retired.)

OCR staff has also received training to maintain the competencies necessary to accomplish the Bureau's EEO functions and mission. OCR management has provided or authorized various types of training (including webinars and presentations on significant EEOC cases) and procured helpful resources (such as current-awareness periodicals, treatises, and advanced research tools) to equip EEO staff with the knowledge and skills essential for a successful EEO program. Many of these trainings involve personnel from other Bureau divisions, such as OHC, presenting excellent opportunities for knowledge-sharing and collaboration across the Agency. Formal trainings attended by EEOC staff are included in the table below.

TABLE 5: RECENT EEO STAFF TRAINING

Training	Date
Privacy/PII Training	October 20, 2015
iComplaints Basics	December 2, 2015
Encrypted Email Procedures	April 12, 2016
Employees with Psychiatric Disabilities	April 19, 2016
Pregnancy in the Workplace	April 20, 2016
7 Habits of Highly Effective People	April 25-27, 2016
Email Management for Lawyers	May 10, 2016
7 Common Mistakes Agencies Make in the EEO Process	May 18, 2016

Training	Date
EEO Counselor Refresher Training	May 26, 2016
Deterring and Responding to Harassment	June 8, 2016
Westlaw Training	June 14, 2016
Crucial Conversations (Team-based Communications Training)	June 20-21, 2016
Leveraging Disability-Inclusive Outreach	June 30, 2016
Hiring, Promotions, and Internal Placement Actions	July 12, 2016
EXCEL	July 19-21, 2016
Federal Dispute Resolution	August 1-4, 2016
Executive Leadership Training	September 19-20, 2016
EEO Trends in LGBT & Pregnancy Discrimination	September 21, 2016
Pay Equity Demystified: Practical Legal, Data, and Statistical Considerations	October 31, 2016

Recruiting, hiring, developing, and retaining supervisors and managers

To ensure the Bureau integrates EEO into its daily mission, CFPB works to hire, develop, and retain supervisors and managers who have effective managerial, communication, and interpersonal skills to supervise most effectively in a workplace with diverse employees and to avoid disputes arising from ineffective communications. One of the Bureau's top diversity and inclusion goals is to recruit talent from a diverse group of potential applicants to develop a high-performing workforce drawn from all segments of American society.

Each year, OHC's Talent Acquisition (TA) Team and OMWI, in consultation with OCR, collaborate to develop and execute a comprehensive recruiting program. The Bureau focuses on cultivating relationships with core universities and organizations that best align with the Bureau's hiring needs; conducting targeted diversity outreach through student-based programs and affinity affiliated industry events (e.g., Women in Technology, Hispanics in Law); and making special efforts to enhance the Bureau's visibility with organizations representing diverse populations.

This outreach allows the Bureau to market CFPB as an employer of choice and to inform

potential candidates of upcoming job openings. CFPB's recruitment activity serves as a key part of the Bureau's overall strategy to promote opportunities to a diverse range of candidates from all segments of society. CFPB's goals include:

- *Recruit students and recent graduates.* Changing societal demographics and an increase in federal government retirement create an opportunity to hire, promote, and retain new talent at the entry level.
- *Recruit experienced professionals.* The Bureau values the experience and expertise of seasoned professionals and alumni whom CFPB encounters at affinity events. These events provide access to mid-level and senior-level talent from the private and public sectors who add to the Bureau's expertise and are potential candidates for management and executive positions (should internal executive selections not be made from the internal management pools).
- *Exposure.* Recruiting events provide the Bureau with access to diverse talent pools designed to facilitate connections among parties and build visibility and credibility.
- *Awareness.* Recruiting events enable the Bureau to promote its work and job opportunities to external populations unfamiliar with CFPB.

A sampling of recruitment events originally planned for FY 2016 is included in the table below.

TABLE 6: 2016 RECRUITMENT EVENT SPONSORS

2016 Recruitment Event Sponsors
Recruitmilitary
Peace Corps
Equal Opportunity Publications
National Association of Black Accountants
Association for Latin Professionals in Finance and Accounting (ALPFA)
The League of United Latin American Citizens (LULAC)
Public Policy & International Affairs Program (PPIA)
National Association for the Advancement of Colored People (NAACP)

2016 Recruitment Event Sponsors

National Bar Association (NBA)

National Council of La Raza (NCLR)

Ascend Pan-Asian Leaders

National Urban League (NUL)

National LGBT Bar Foundation

Hispanic National Bar Association (HNBA)

National Association of Asian MBAs (NAAMBA)

Congressional Black Caucus

Gallaudet University

National Black MBA Association

National Asian Pacific American Bar Association (NAPABA)

Howard University

Atlanta University Consortium (Spelman, Morehouse, Clark Atlanta)

The Bureau also uses the Professional Diversity Network (PDN) to advertise opportunities for employment at CFPB. PDN connects the Bureau to eight affinity career sites that provide access to three million registered users. Websites included in this network include ihispano.com, BlackCareerNetwork.com, WomensCareerChannel.com, Military2Career.com, ProAble.net, Acareers.net, OutProNet.com, Black Data Processing Associates, and disABLEDperson.com.

To develop and retain managers and supervisors, the Bureau provides appropriate and critical training. This helps ensure CFPB managers and supervisors have – and feel properly equipped with – the skills and competencies needed to fulfill their responsibilities and duties under the Bureau’s EEO program, as well as the ability to properly supervise a diverse staff of employees. Relevant training provided includes a mandatory 2-day EEO training through the EEOC Training Institute, a mandatory 2-day diversity and inclusion training, a mandatory 3-day Supervisory Development Seminar (SDS), 8 days of mandatory Leadership Excellence Seminars (LES), and a mandatory training on structured interviewing techniques for all “lead

interviewers” (as well as annual mandatory No FEAR Act and harassment prevention training required of all Bureau employees). A number of these trainings are sequenced over a multi-year period.

For instance, beginning in 2015, the Bureau has required all supervisors and managers to attend a two-day workshop entitled, “Leading Diversity and Inclusion at the Bureau.” This workshop focuses on providing managers the awareness, knowledge, and skills needed to give due consideration to differences in culture, backgrounds, and experiences of staff and managers in managerial/supervisory processes, decisions and actions. The training content includes: the business case for managing diversity; the subtle behaviors that signal unconscious bias; the manager’s role in creating an inclusive workplace; equitable and bias-free approaches for managing diverse teams; giving effective feedback to diverse teams; managing disagreements across cultural differences; and action planning. Evaluations of the training indicated that participants had a very high level of satisfaction with the content and with the workshop facilitators.

OMWI, in collaboration with OCR, also provided training to managers on legal compliance and diversity and inclusion in the performance evaluation process. This training focused on increasing awareness of legal compliance requirements and the types of biases and the ways in which bias can impact the performance evaluation process.

TABLE 7: SAMPLE OF TRAININGS FOR MANAGERS AND SUPERVISORS IN FY 2016

Training	Audience	Date
Diversity and Inclusion in the Performance Evaluation Process	All Managers and Supervisors	Various Dates
Diversity and Inclusion Leaders Training	All Managers and Supervisors	Various dates
Leadership Excellence Seminars (LES)	All Managers and Supervisors	Various dates
Supervisory Development Seminars (SDS)	All Managers and Supervisors	Various dates
EEOC Training Institute 2-Day Manager Training	All Managers and Supervisors	Various dates
Structured Interview Training (including D&I and EEO modules)	All Managers and Supervisors who serve as lead interviewers	Various dates

Manager and employee engagement

To ensure integration of EEO into its strategic mission, the Bureau also must engage managers and all employees in the Bureau's EEO Program and overall diversity and inclusion efforts. In part to enhance employee engagement, CFPB in 2015 implemented a Diversity and Inclusion (D&I) Strategic Plan. The plan outlines the Agency's affirmative employment and diversity and inclusion goals and priorities, and the specific actions that will support them. From 2016 until 2020, the D&I Strategic Plan will govern diversity and inclusion in the Bureau's workforce, its supplier diversity efforts, and its work to promote diversity among regulated entities. The Bureau engages Division leadership to advance diversity and inclusion initiatives through assignment of a D&I goal in each Divisional Strategic Plan (developed in collaboration with OMWI and the Bureau's Office of Strategy) aimed at increasing the diversity among Division staff, and ensuring that the work environment is inclusive for all employees. The Bureau also facilitates engagement of senior leaders via the Quarterly Performance Review (QPR) process for all Divisions managed by the Office of Strategy. (In FY 2017, the QPR process has changed to a Triannual (three times per year) Performance Review (TPR) process.)

The following are some additional specific initiatives currently in place at the Bureau to engage supervisors and managers, as well as the overall workforce, in advancing diversity and inclusion Agency-wide:

- *Executive Advisory (Diversity and Inclusion) Council (EAC)*. This cross-divisional group of 12 senior leaders works to strengthen and integrate diversity and inclusion at CFPB by providing strategic guidance, advocacy, and support.
- *Diversity and Inclusion Council of Employees (DICE)*. In FY 2016, the Bureau launched the inaugural term for this cross-agency group of employees. DICE is a group of 17 employees from various demographics, pay band levels, positions, and geographic locations. DICE and the EAC both advocate for and provide critical perspectives. DICE is providing a platform for employees to give feedback to OCR and OMWI regarding EEO and diversity and inclusion efforts at CFPB, and will support affirmative employment and special emphasis programming efforts. (For instance, OCR received approval to leverage members of DICE to potentially serve as collateral duty special emphasis program managers.)
- *Employee Resource Group Policy*. In FY 2016, the Bureau finalized and adopted an official Employee Resource Group (ERG) policy to facilitate employee efforts to form

interest-based groups. ERGs at the Bureau will serve as advocates for equality and diversity and inclusion, and provide a means for employees to be active in supporting programs aligned with the Bureau’s mission, such as the EEO Program. ERGs will foster employee engagement throughout CFPB by strengthening inclusion and understanding of cultural differences. ERGs also will contribute in ways that help the Bureau hire, retain, and develop its diverse workforce. Recently, the Bureau’s first official ERGs – CFPB Pride (for LGBTQ+ employees and allies) and CFPB Adelante! (for Hispanic/Latino employees and allies) formed. Additional ERGs are being planned and will be created soon.

- *Union Outreach.* OCR has engaged in outreach to the leadership of the NTEU chapter representing (as of the end of FY 2016) approximately 1,115 Bureau employees. OCR leadership met with the NTEU local board to understand how OCR could better educate bargaining unit members, and subsequently presented a one-hour training for bargaining unit members titled “Everything You Ever Wanted to Know About the Bureau’s Office of Civil Rights and the ‘EEO Process’ (But May Have Been Afraid to Ask!).”

Further, OCR, in collaboration with OHC, OMWI, External Affairs, and CFPB’s Culture Team, has been successful in getting employees and managers involved in Heritage Month/Special Observances and other diversity-related events. For example, in FY 2016, various employees and managers helped plan and present the widely attended events listed in the table below.

TABLE 8: HERITAGE MONTH AND DIVERSITY EVENTS

Heritage Month and Diversity Events	Date
National Disability Employment Awareness Month: “My Disability Is One Part of Who I Am – A Conversation with Bureau Colleagues” moderated by OCR Director and featuring an OCR employee	November 3, 2015
National Native American Heritage Month: Lunch and Learn featuring Ann Marie Bledsoe Downes, the Deputy Assistant Secretary, Indian Affairs for Policy and Economic Development, Department of the Interior	November 19, 2015
Black History Month: Lunch and Learn featuring U.S. Representative Keith Ellison, Minnesota’s 5 th Congressional District	February 23, 2016
Public Service Recognition Week: Presentation from the	May 4, 2016

Hon. Andrew Young, former Ambassador to the United Nations, U.S. Congressman, and Mayor

World Day for Cultural Diversity:

A day to learn about and celebrate the cultures of CFPB employees May 19, 2016

The Life and Experiences of a Supreme Court Justice: A Conversation with Hon. Sonia Sotomayor June 7, 2016

LGBTQ+ Pride Month: Presentation on LGBTQ+ Workplace Rights featuring Louis Lopez, Associate Special Counsel, U.S. Office of Special Counsel, and two OCR employees/LGBTQ+ legal experts, and Observance Honoring the Victims of Orlando Hate Crime June 22, 2016

LGBTQ+ Pride Month: Screening of "Uniquely Nasty: A History of the U.S. Government's War on Gay Employees" featuring narrator and reporter Michael Isikoff June 29, 2016

Caribbean American Heritage Month: A cultural celebration to educate about the Caribbean region and its role in American History June 30, 2016

Distributing EEO information

The Bureau uses various media and other innovative means to distribute EEO information. These efforts assist in ensuring that EEO is integrated into the Agency's strategic mission and crucial EEO-related information is readily accessible at all times. The Bureau makes use of virtually all of the ideas suggested by the EEOC in its September 2014 publication entitled "Preserving Access to the Legal System: A Practical Guide to Providing Employees with Adequate Information about Their Rights under Federal Equal Employment Opportunity (EEO) Laws and Regulations."⁷ The various means used to distribute information is described in the table below.

⁷ This guidance is available at http://www.eeoc.gov/federal/preserving_access.cfm.

TABLE 9: MEDIA USED TO DISTRIBUTE EEO INFORMATION

Media Used To Distribute EEO Information
Regular email notifications via “Ops Digest” and “Manager Minute” publications
Regular email messages from the CFPB Director and OCR Director
Annual statements from the CFPB Director on the No FEAR Act and on the Bureau’s EEO Policy and Anti-Harassment Policy, provided in email and printed formats, and posted on the Bureau’s intranet
Posters placed throughout all Agency facilities in break rooms and work rooms
A tri-fold brochure on EEO rights and responsibilities
Display Stands with relevant hard-copy information placed near every elevator bank, in OHC, and in OCR office space
Digital Display Boards (i.e., large monitors) in elevator banks in CFPB headquarters featuring rotating slides including brief messages on EEO and diversity and inclusion-related topics
Guide to the Office of Civil Rights (distributed immediately to all new employees)
EEO Resource Manual for Managers and Supervisors (provided to all new supervisors and during mandatory 2-day EEO training)
Intranet and internet content, including all relevant policies and Frequently Asked Questions about OCR and discrimination-related topics, and periodic All-Employee “Announcements” on the homepage of the Bureau’s intranet
EEO-related notices on employee paystubs (containing a new notice each pay period)
Formal training including: New Employee Orientation (NEO); mandatory annual No FEAR Act and harassment prevention trainings; mandatory Supervisory Development Seminar (SDS); and mandatory 2-day manager EEO training led by the EEOC Training Institute; mandatory two-day diversity and inclusion training for new supervisors; mandatory diversity and inclusion training for all employees

In-person dissemination of information is perceived by many as the most effective means to distribute EEO information. To that end, a member of OCR staff distributes a hard copy “Guide to the Office of Civil Rights” to every new Bureau employee, in person, on or near his or her very first day of employment. This guide contains detailed information on discrimination, harassment, and retaliation, and the EEO process – including the Part 1614 process and the 45-calendar day timeframe for initiating EEO counseling. In addition, OCR created and distributes an “EEO Resource Manual for Managers and Supervisors” providing practical guidance on EEO compliance. Further, OHC sends each new manager a “CFPB New Manager Onboarding Information” guide that also contains critical EEO and diversity and inclusion information.

OCR also conducts, collaborates in presenting, and/or sponsors numerous in-person trainings, as well. In his FY 2016 EEO Policy/Anti-Harassment Statement, Director Cordray conveyed his expectation that all Bureau employees prioritize diversity and inclusion and EEO training and put what they learn into practice every day. For example:

- All 246 new hires at the Bureau (100%) completed mandatory New Employee Orientation Training during FY 2016, during which OCR staff provides an overview of EEO rights and responsibilities (including explaining the Part 1614 process and emphasizing the 45 calendar day timeframe for contacting an EEO counselor).
- A total of 234 employees completed mandatory diversity training in FY 2016. CFPB began offering this two-hour awareness raising workshop to non-managerial employees to help develop a shared understanding of diversity and inclusion at the Bureau. The workshop focuses on the importance of diversity and inclusion in strengthening individual competence for interacting effectively in a diverse workplace and the ways in which an understanding of diversity and inclusion contributes to the effectiveness of the Bureau's work in serving consumers. As of the end of FY 2016, 1,099 CFPB employees had completed this training, with the remainder scheduled to complete it by the end of calendar year 2016. Evaluations of the training indicated that it was well received and effective in increasing employees' awareness of the importance of diversity and inclusion to the Bureau's overall effectiveness.
- A total of 65 supervisors and managers completed a mandatory 2-day EEO Training conducted by the EEOC Training Institute in FY 2016, for a total of over 250 to date.
- A total of 47 supervisors and managers completed mandatory Leadership Excellence Seminars (LES) in FY 2016, and over 200 total supervisors and managers have completed these seminars to date.
- A total of 56 supervisors and managers completed the mandatory Supervisory Development Seminar (SDS) in FY 2016, and approximately 265 total supervisors and managers have completed this seminar to date – almost 95 percent.
- A total of 112 supervisors and managers completed the mandatory supervisor 2-day diversity training in FY 2016, and approximately 230 total supervisors and managers have completed this training to date – approximately 83 percent.

- A total of 44 employees completed structured interview training mandatory for all “lead interviews” in FY 2016, and approximately 294 total employees have completed this training to date.
- A total of 1132 employees (69 percent) and 236 supervisors and managers (82 percent) completed mandatory performance management training containing EEO and diversity and inclusion components in FY 2016.

In addition, each year all Bureau employees must take a one-hour web-based training on the No FEAR Act, and a separate one-hour, web-based training on harassment prevention.

Approximately 85 percent of employees completed this mandatory No FEAR Act training in FY 2016, and over 95 percent of employees completed the mandatory harassment prevention training in FY 2016. By FY 2018, OCR hopes, depending on resource availability, to begin offering live annual mandatory No FEAR Act and harassment and retaliation training for employees, and to develop and rollout an EEO “refresher” training curriculum for experienced supervisors and managers.

In FY 2016, OCR also launched a new “Top 10 EEO Tips” series of optional webinars for all Bureau employees. This series of virtual brownbag presentations by OCR is designed for all CFPB personnel (managers/supervisors and non-supervisory employees), and provides “bite size” – 30 minutes maximum – training in the form of practical tips on EEO rights and responsibilities. The first installment of the series was for Mental Health Awareness Month in May 2016, and offered tips on “Mental Health Awareness and You.” OCR will continue to offer new webinars as part of this series in FY 2017, with upcoming installments likely addressing topics such as Top 10 EEO Pitfalls, reasonable accommodations (including for pregnancy-related limitations and religion), and retaliation. In FY 2017, OCR also hopes to develop and launch web-based training on compliance with Sections 504 and 508 of the Rehabilitation Act of 1973.

Further, the OCR intranet page is an excellent resource for individuals wanting information about the EEO process. The OCR intranet page clearly describes the Part 1614 process, contains links to all pertinent policies and procedures, and offers a section of plain-language Frequently Asked Questions (FAQs) that is updated and augmented routinely. (This section of the intranet also welcomes and solicits ideas for additional FAQs, encouraging those visiting the site to email OCR with suggestions for topics about which additional guidance or clarification could be helpful.) The OCR intranet page also contains contact and location information for OCR,

including contact information for all OCR staff, to ensure that employees can easily seek OCR's assistance in person or virtually.

5.3 Essential Element 3: Management and program accountability

Management Directive 715 explains that a model Title VII and Rehabilitation Act program will hold managers, supervisors, EEO officials, and personnel officers accountable for the effective implementation and management of an agency's program. Per MD-715, in ensuring such accountability, the Bureau must:

- Conduct regular internal audits, on at least an annual basis, to assess the effectiveness and efficiency of the Title VII and Rehabilitation Act programs and to ascertain whether the Agency has made a good faith effort to identify and remove barriers to equality of opportunity in the workplace.
- Establish procedures to prevent all forms of discrimination, including harassment, retaliation, and failure to provide reasonable accommodation to qualified individuals with disabilities.
- Evaluate managers and supervisors on efforts to ensure equality of opportunity for all employees.
- Maintain clearly defined, well-communicated, consistently applied, and fairly implemented personnel policies, selection and promotion procedures, evaluation procedures, rules of conduct, and training systems.
- Implement effective reasonable accommodation procedures that comply with applicable executive orders, EEOC guidance, the Architectural and Transportation Barriers Compliance Board's Uniform Federal Accessibility Standards and Electronic, and Information Technology Accessibility Standards (and ensure that EEOC has reviewed those procedures when initially developed and if procedures are later significantly modified).
- Be mindful of the Agency's disability program obligations, including the provision of reasonable accommodations, when negotiating collective bargaining agreements with

recognized labor organization(s) representing Agency employees.

- Ensure effective coordination between the Agency's EEO programs and related human resource programs, including the Federal Equal Opportunity Recruitment Program (FEORP), the Selective Placement Programs, and the Disabled Veterans Affirmative Action Program (DVAAP).
- Review each finding of discrimination to determine the appropriateness of taking disciplinary action against Agency officials involved in the matter. Track these decisions and report trends, issues, and problems to Agency leadership for appropriate action.
- Ensure compliance with settlement agreements and orders issued by the Agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority.⁸

Audits and Reviews of CFPB programs

The Bureau uses internal audits and assessments (among other methods) to ensure management and program accountability. In FY 2016, CFPB conducted or was involved in various audits and reviews of its EEO program to ascertain whether the Bureau has made a good faith effort to identify and remove barriers to equal opportunities in the workplace and promote diversity and inclusion Agency-wide.

Most notably, as part of the EEOC's oversight responsibility for federal agency EEO programs and per the EEOC's Federal Sector Complement Plan (FCP), the EEOC's OFO conducts technical assistance visits to various federal agencies each year. For FY 2016, EEOC selected 74 agencies, including CFPB, for technical assistance visits. On January 11, 2016, OFO staff met with personnel from OCR, OHC, and OMWI to review the status of CFPB's EEO program with respect to its: (1) Schedule A conversions; (2) anti-harassment program; (3) reasonable accommodation program; (4) barrier analysis focused on access to executive level positions; and

⁸ See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.C., available at <https://www.eeoc.gov/federal/directives/md715.cfm>.

(5) compliance with EEOC's Management Directives. In a letter to the OCR Director dated June 24, 2016, the EEOC stated (among other things):

- “We are pleased to note that CFPB stated in its response to our RFI that the agency regularly converts its Schedule A appointees to competitive status after two years of satisfactory performance. We urge CFPB to continue to ensure that its Schedule A employees are timely converted to the competitive service.”
- “We are pleased to note that in FY 2015, CFPB implemented a recruitment and outreach plan for individuals with targeted disability and it has established a goal of 2% to hire and retain individuals with [a] targeted disability. Although CFPB did not specifically set aside positions for Schedule A appointments in FY 2015, the Office of Human Capital, Office of Civil Rights (OCR), and Office of Minority and Women Inclusion (OMWI) urge hiring officials to consider the use of the Schedule A hiring authority to fill vacancies. Further, the agency explained that its recruitment officials are trained on all federal hiring rules, including special hiring authorities such as Schedule A. We would also like to highlight that CFPB's Director announced its plans to partner with another federal agency to increase its hiring of individuals with intellectual disabilities. We look forward to reviewing CFPB's progress in this area in its next MD-715 report.”
- “Further, we commend CFPB for providing ‘Disability and Reasonable Accommodation Training’ to managers and supervisors and disability etiquette tips to all employees. In addition, we are pleased to note that CFPB has established a tracking system to ensure that the agency responds to accommodation requests in a timely manner. We urge the agency to continue its strong support of the reasonable accommodation program.”
- “We thank CFPB for submitting its anti-harassment policy, entitled *CFPB Procedures Related to Reporting Harassment and Inappropriate Conduct*. After reviewing the policy, we determined that the document cover[s] all types of harassment and addresses all six elements [essential for an effective anti-harassment program and procedures]. However, the policy does not specifically require periodic training to all managers and supervisors. We expect CFPB to establish a plan to update its policy statement to reflect the periodic training on harassment that is currently provided to all supervisor[s] and managers.”
- “[T]he Office of Human Capital, which is responsible for the anti-harassment program at the CFPB, completes management inquiries in an average of 2 to 4 months, depending

on the circumstances. With regard to prompt investigations, CFPB should be aware that management inquiries must commence within ten (10) days of receiving notice of harassment of allegation. *See Complainant v Dep't of Veterans Affairs*, EEOC Appeal No. 0120123232 (May 21, 2015). We note that at the time of our meeting in January 2016, CFPB did not yet track the number of days that have elapsed between receiving a complaint and commencing the investigation; however, the agency now monitors the timeliness of its management inquiries. We applaud CFPB for implementing a centralized tracking system to monitor the status of its management inquiries, and look forward to reviewing the agency's continued progress on this front in the Executive Summary of its next MD-715 report."

- "We note that with the exception of Men overall, Hispanic males, and Asian males, all other EEO groups had lower-than-expected participation rates in CFPB's senior level positions (SLP) in FY 2015, when compared to their rate in [A]gency's permanent workforce. In Part I of its FY 2015 MD-715 report, CFPB identified triggers involving Black males and females, but has not yet found a policy, procedure, or practice that is causing a barrier. The agency stated that its preliminary analysis did not reveal any discriminatory policies, practices, or procedures that have created a barrier. CFPB established plans in Part I to continue to examine the promotion practices and address any problematic practices, and review surveys to assess whether any information contained in results could help explain the cause of low participation among certain groups in higher banded positions."
- "We commend CFPB for its barrier analysis efforts and hope this letter will assist the agency in identifying whether a barrier exists in its SLPs. . . . [W]e suggest that CFPB focus on [possible] barriers for Black males and females. Ultimately, CFPB should look for possible connections between the triggers in its workforce statistics and any policies, procedures, or practices that might be causing those discrepancies. In particular, we suggest that CFPB implement the following planned activities: (1) identify the typical background and experience of individuals selected to the SLP and other senior pay positions; (2) review the qualifications of Black males and females seeking career advancement; (3) examine the recruitment of Black males and females into the senior grade levels and management positions; (4) investigate every phase of the merit promotion process for the senior grade positions; (5) interview employees from the human resources office about their screening process; (6) meet with members of the interview panel about their process of identifying best-qualified applicants and their

interview questions; (7) compare the qualifications of Black male and female applicants to the selectees' qualifications; (8) review the various voting stages for disapproval of Black males and female candidates; (9) conduct a longitudinal review of applicant flow statistics found in tables A7, A9, and A11; (10) review the participation of Black males and females by grade level in the occupations with upward mobility; and (11) meet with selecting officials to examine their experiences in the hiring process and to discuss their perception of Black candidates. We look forward to reviewing CFPB's continued progress on this front in Part I of its next MD-715 report. In addition, we request that CFPB provide an update on its use of a blind selection process for SLS vacancies, which EEOC considers a best practice."

- "CFPB does not yet collect all of the workforce data, including all applicant flow data, which is necessary in order to conduct barrier analysis. In Part H of its next MD-715 report, we expect CFPB to show meaningful progress toward capturing all the required workforce data. We look forward to reviewing CFPB's progress in this area in future MD-715 reports."

Notably, the EEOC did not infer or conclude that CFPB had engaged in any unlawful employment practice, and did not identify any specific barrier to equal employment opportunity for any demographic group. As feasible given competing demands and limited resources, the Bureau is focusing on incorporating all of the best practices identified as part of the EEOC's technical assistance.

OCR is currently working with various stakeholders, including OHC, OMWI and the Executive Advisory Committee (EAC), to ensure EEOC's suggestions are incorporated into the Bureau's EEO program. For instance, OCR has consulted with OHC on a process to update its anti-harassment policy to reflect that periodic training is required for all managers and supervisors. OHC is also working diligently to reduce the average number of days to complete anti-harassment inquiries in line with EEOC guidance and case law.⁹ With respect to disability

⁹ The length of the inquiries varies widely depending on the number of allegations made, the complexity of the allegations, the number of witnesses interviewed, and whether or not an outside investigator was procured to

recruitment and hiring, the Bureau in FY 2016 drafted (and in FY 2017 will finalize) an official Schedule A policy to encourage continued and greater use of this hiring flexibility. (In FY 2017, OHC will also work on finalizing a set of Standard Operating Procedures to assist applicant seeking reasonable accommodations.) Further, the Bureau's Chief Human Capital Officer has reached out to the Federal Communications Commission to leverage lessons learned and explore partnerships to increase the employment of individuals with intellectual disabilities. The Bureau's efforts to implement the EEOC's recommendations regarding lower-than-expected participation rates in CFPB's senior level positions of certain demographic groups are addressed in greater detail in Part I-4 of this report.

During FY 2016, other external reviews or assessments shed light on the Bureau's EEO and diversity and inclusion efforts. An annual comparison by the nonprofit Partnership for Public Service found that in 2016, CFPB ranked 4th out of 26 peer agencies for support for diversity (a category measuring the extent to which employees believe that actions and policies of leadership and management promote and respect diversity). Overall, CFPB placed 8 out of 27 mid-size agencies in the Partnership for Public Service's ranking of Best Places to Work.

In addition during 2016, the Professional Diversity Network selected CFPB for its "Diversity Excellence Award" and named the Bureau one of PDN's "TOP 10 Leading Employers in Diversity" from among 2200 employers across the nation. The criteria PDN used to make this award include:

- Percentage of resources and outreach budget assigned specifically to diversity;
- Number of job openings actively promoted to a diverse audience;
- Senior leadership statements, policies, and objectives specific to diversity recruitment;
- Quality of content in diversity recruitment outreach;
- A culture of inclusion within HR and throughout the organization as a whole; and

conduct the investigation. In the majority of cases, inquiries took between 2-4 months. A true "average" number would be inaccurate due to outlying cases that took significantly longer due to the particular circumstances, but in FY 2016, the shortest anti-harassment inquiry was completed in 14 days.

- A systematic, comprehensive and defined diversity recruitment strategy.

The Bureau also was featured as a “Company to Watch” in Universum’s *Top 100 Employers* publication. Universum is a global branding and consulting firm which annually surveys over 75,000 college students at over 300 institutions about the companies they admire most and would most want to work for. CFPB’s feature includes a profile of Monica Romero, an Examiner from the Bureau’s Western region.

Further, in January 2016, *Careers & the disABLED*, a magazine targeted to the recruitment of persons with disabilities, named CFPB the 13th Best Federal Agency Employer for persons with disabilities.

In FY 2015, the Office of the Inspector General (OIG) of the Board of Governors of the Federal Reserve released its results of its audit to assess the efficiency and effectiveness of the Bureau’s EEO diversity and inclusion efforts and its EEO complaint processing program. The report, *CFPB Can Enhance Its Diversity and Inclusion Efforts*, issued on March 9, 2015, states that regarding the 29 C.F.R. Part 1614 complaint process:

- “CFPB has policies and procedures for each of its employee complaint processes [e.g., EEO complaints].”
- These “processes give employees the opportunity to have their complaints heard, investigated, and redressed in a fair and equitable manner.”
- “CFPB adheres to several laws and regulations related to its OEEO [Office of Equal Employment Opportunity – OCR] and the processing of EEO complaints.”¹⁰

During FY 2016, CFPB made substantial progress on or completed OIG recommendations including, for example, obtaining commercial software to support EEO complaint tracking and reporting requirements, mandating diversity training, creating a D&I Strategic Plan, and creating a Succession Planning and Career Pathing Guide. On September 30, 2016, the OIG

¹⁰ This report is available at <https://oig.federalreserve.gov/reports/cfpb-diversity-inclusion-mar2015.htm>.

wrote to the Bureau closing out an additional recommendation and confirming that only six¹¹ of the original 17 recommendations remain open.

In November 2015, the minority staff of the U.S. House of Representatives Committee on Financial Services issued a report titled *The Dodd-Frank Act Five Years Later: Diversity in the Financial Services Agencies*.¹² This report reviewed audits of seven financial regulatory agencies including the OIG audit of CFPB discussed above. The various OIGs for financial regulatory agencies had been asked to review the agencies' internal operations to determine whether any personnel practices have created a discriminatory workplace or have otherwise systematically disadvantaged minorities and women employees, particularly from obtaining senior management level positions. The report highlighted the number of changes CFPB has instituted to its workforce practices designed to remedy perceived past shortcomings and proactively prevent discrimination. The report commended CFPB for evaluating its Performance Management Review (PMR) program, and determined that CFPB's willingness to hold itself accountable for achieving a non-discriminatory work environment was an "agency best practice."

On June 21, 2016, the Government Accountability Office (GAO) released a report describing the CFPB's ongoing work to foster a diverse and inclusive workforce and positive organizational culture.¹³ The report examined a wide variety of diversity and inclusion efforts underway at CFPB, noted progress that the Bureau has made, and identified recommendations on how to further enhance initiatives to promote the Agency's broad diversity and inclusion goals.

After its two-year review, GAO reached a number of important conclusions. First, GAO expressly recognized that CFPB has engaged in ongoing improvement efforts in response to challenges

11 To date, only three recommendations related to OEOF remain open and the Bureau has met with the IG to discuss officially closing them out.

12 This report is available at <http://democrats.financialservices.house.gov/news/documentsingle.aspx?DocumentID=399441>.

13 See *Consumer Financial Protection Bureau: Additional Actions Needed to Support a Fair and Inclusive Workplace* (pub. June 20, 2016), available at <http://www.gao.gov/products/GAO-16-62>.

that the Agency first identified in late 2013 and early 2014, including working “to strengthen personnel management practices and enhance its diversity and inclusion efforts.” GAO also specifically noted that CFPB has expanded management training, developed new guidance on personnel practices, developed a new performance management system, and “made progress in adopting leading diversity management practices identified in prior GAO work, such as finalizing a diversity strategic plan, creating employee diversity groups, and expanding diversity training.” GAO further noted that the CFPB “launched a new initiative to strengthen its organizational culture that includes obtaining employee input on ideas for improving CFPB’s culture and addressing employee concerns. Finally, CFPB has strengthened its employee complaint processes by providing new training and guidance and creating feedback mechanisms to help evaluate progress in some areas.” All of this, GAO found, showed that “CFPB’s diversity, inclusion, fairness, and culture efforts represent a significant change management initiative.”

The GAO report made only two limited recommendations, none of which was specific to OCR operations:

- CFPB should more “comprehensively report on its implementation goals and progress across these efforts.”
- CFPB has developed feedback mechanisms to evaluate the effectiveness of its EEO complaint process, and should expand those same mechanisms for its non-Part 1614 employee grievance processes (i.e., the negotiated grievance process for bargaining unit members and the administrative grievance process administered by OHC for non-bargaining unit members).

Bureau leadership immediately began working to implement both of GAO’s recommendations. With respect to the first recommendation, OEOF, OHC, and the Office of Strategy, along with other Bureau stakeholders, have implemented a detailed D&I project tracking initiative. Regarding the second recommendation, OCR shared its current comprehensive program surveys with OHC as potential models for grievance-process feedback. The Bureau has also worked with NTEU to develop a means of collecting feedback on the current negotiated grievance process.

Diversity and inclusion form an especially critical component of an effective organizational culture. GAO’s perspective provides valuable insight and points to opportunities for continuous improvement. GAO’s report recognizes that CFPB has taken many steps considered best

practices, citing “new policies, guidance, and training; efforts to enhance communication about personnel practices; several enhancements to diversity and inclusion efforts; and the new Workforce of the Future initiative to strengthen the organizational culture, among others.”

CFPB also carefully monitors and incorporates employee feedback on its EEO program and overall diversity and inclusion efforts. For instance, during FY 2016 OCR drafted a new survey specifically soliciting feedback from relevant stakeholders about all stages of the EEO process, including the counseling and investigation stages, in addition to the use of ADR, and improved the design of the survey instrument to include a five-level rating scale instead of yes/no questions. The OCR survey includes questions about (1) whether the parties involved in alternative dispute resolution acted in good faith; (2) confidence that confidentiality was maintained during the informal process; (3) fairness of the counseling and investigative processes; and (4) the fairness and impartiality of EEO counselors and investigators (among many other items).

The Bureau conducted its most recent comprehensive employee viewpoint survey – what CFPB calls the Annual Employee Survey (AES) – in August 2016. AES measures employee engagement and satisfaction throughout the Bureau, and provides crucial insight on employee perceptions about fairness and equality at CFPB. In FY 2016, the Bureau’s survey response rate was 87.6 percent – an increase over the response rate from FY 2015.

In FY 2016, CFPB again used portions of the AES results to calculate what the Office of Personnel Management (OPM) has defined as the “Inclusion Quotient.” The Inclusion Quotient measures workplace practices or habits related to inclusiveness, which research confirms contributes to employee engagement and organizational performance. This “IQ” metric is separated into several factors or indices: Fair, Open, Cooperative, Supportive, and Empowering. Goals and progress in this IQ measure are reported annually in CFPB’s Strategic Plan, Budget and Performance Plan and Report. In FY 2016, the Bureau’s Inclusion Quotient was 67.5 percent – an improvement upon the IQ of 65.8 percent from FY 2015, and significantly higher than the FY 2016 government-wide IQ of 58 percent. On the metric of Open, specifically – questions dealing with whether diversity and inclusion are promoted by the Agency and/or managers – CFPB’s favorability score of 69.7 percent is higher than the government-wide score of 57 percent.

Bureau respondents to the FY 2016 AES across demographic groups indicated deep trust in their immediate supervisors, with 90.8 percent responding that their supervisor treats them with

respect and 87.8 percent indicating that their supervisor supports the need to balance work and other life issues.

Overall, FY 2016 AES results revealed 50 “Strengths,”¹⁴ three “Challenges,”¹⁵ seven “Issues to Watch,”¹⁶ six “Improvements,” and 0 “Declines.” Many survey items displayed no significant demographic differences, and 42 of the items represented strengths for every demographic group. Shared strengths are concentrated around the topics involving my work experience, my work unit, my supervisor, management, and overall satisfaction. These include feeling that my work is important, people in my work unit share knowledge and help each other, my supervisor treats me with respect, and I am satisfied with my job overall.

At the same time, there are some areas of difference in responses between demographic groups that present opportunities for further enhancements, and which will be monitored by OEOF, OHC, and the Bureau’s Office of Strategy. Bureau partners in OEOF, OHC, and the Office of Strategy are continuing to analyze these results to determine if there are any triggers creating barriers for equal opportunities.¹⁷

Additionally, since July 2011, CFPB has taken quarterly surveys of new employees. These surveys provide an innovative approach to engage in ongoing barrier analysis. The surveys are given to employees every quarter during the first year of their employment (four times in the first year), and ask questions about the employees’ satisfaction with various areas of employment, including the recruitment experience, the application and hiring process, new employee orientation and training, supervision, and engagement. The surveys are then analyzed

14 Items that are 65 percent or more positive (percent favorable) are strengths. Percent favorable (positive ratings) is the sum of two categories (e.g., Strongly Agree/Agree or Very Satisfied/Satisfied).

15 Items that are 35 percent or more negative (percent unfavorable) are areas of challenge. Percent unfavorable is the sum of two categories (e.g., Strongly Disagree/Disagree or Very Dissatisfied/Dissatisfied).

16 Items that are 25 percent or more negative (percent unfavorable) are issues to watch. Percent unfavorable is the sum of two categories (e.g., Strongly Disagree/Disagree or Very Dissatisfied/Dissatisfied).

17 For more information on CFPB’s FY 2016 AES survey results, see <http://www.consumerfinance.gov/data-research/research-reports/2016-cfpb-annual-employee-survey-results>.

by data experts who brief OCR, OMWI, and OHC on a quarterly basis on the results. These results are analyzed to assess the experiences of different demographic groups of employees. At the end of the year, these results are presented in the aggregate, and allow the Bureau to monitor for any potential triggers.

Similarly, exit surveys are provided to each individual who leaves the Agency for any reason, to help identify any trends and triggers related to reasons for departure. OPM provides the survey results to CFPB, and the aggregate data is compared by race, ethnicity, and gender to again facilitate the Bureau's understanding of whether (and how) the experience of different demographic groups of employees is similar or different. The aggregate data is analyzed on a quarterly and annual basis, and is compared to results from previous fiscal years, to determine whether triggers exist and further analysis is necessary to identify any potential barriers to equal employment opportunities. If any of the individual, anonymized responses indicate potential discrimination, the OCR Director is notified.

As a follow-up to survey results, various audits, and the EEOC's technical assistance visit, and in line with MD-715 guidance, in FY 2015 and continuing during FY 2016, the Bureau began conducting an analysis of historical applicant data to determine whether there were any triggers that could be creating barriers for demographic groups in the Bureau's hiring process. The preliminary data review indicated that CFPB was consistent with government-wide trends and there may be opportunities for improvement. OCR, OMWI, and OHC are currently working together to better understand and appropriately address the data results, and will apprise EEOC of progress. This progress is addressed in greater detail in Part I-1 of this report.

Evaluating Managers and Supervisors

The Bureau has taken measures to ensure that managers and supervisors are evaluated on their efforts to ensure equal opportunity for all employees. These measures are included in managers' and supervisors' performance plans. Specifically, executives' performance plans evaluate their ability to "leverage diversity," and whether they foster and develop an inclusive workplace where a diverse set of talents and perspectives are valued in accomplishing the vision and mission of the Bureau. Additionally, all non-executive supervisors are evaluated on whether they are able to grow and retain a diverse staff, support diversity and inclusion initiatives, and cooperate with EEO inquiries. The Bureau has also added a D&I competency, along with a list identifying specific behavioral indicators to evaluate, to its Leadership Competency model, and to the Non-

Supervisory Employee Competency Model that addresses the importance of D&I competency for all.

The Bureau's Associate Directors – top-level Division leaders – are also held directly accountable for fostering diversity and inclusion within their Divisions. During FY 2016, Associate Directors met with Director Cordray four times and reported on D&I progress, as part of the Quarterly Performance Review (QPR) process. These regular reviews ensure awareness at the highest leadership levels, support prompt and immediate action when issues arise, and incentivize Associate Directors to hold their management teams accountable for successful implementation of diversity, inclusion, and EEO principles and goals.

In addition, the Bureau's robust Part 1614 complaints process, which is administered by OCR, safeguards employee civil rights and provides appropriate relief for statutory violations. OCR issued a Final Agency Decision in FY 2016 finding violations of both the Rehabilitation Act and Title VII of the Civil Rights Act with respect to one individual. This was the first finding of discrimination against the Bureau to date; no other findings have been issued against the Bureau (e.g., from the Bureau itself, the EEOC, the Merit Systems Protection Board, the Office of Special Counsel, labor arbitrators, the Federal Labor Relations Authority, the Department of Labor, or a federal court). In its Final Agency Decision, OCR ordered appropriate remedies, including consideration of disciplinary action against the responsible Agency officials, appropriate training, a posting notice, and other make-whole relief for the individual victim. This finding and accompanying relief order underscore the Bureau's ability to ensure effective compliance with applicable EEO laws.

In addition, the Bureau also holds managers and supervisors accountable for compliance with the terms of settlement agreements, and OHC similarly holds managers and supervisors responsible under the Bureau's Anti-Harassment Policy. For example, in FY 2016, three employees were counseled or disciplined related to a potential or actual violation of federal anti-discrimination and retaliation laws, including whistleblower protections.

Finally, in all trainings related to any EEO topics, managers and supervisors are reminded that equal employment opportunity – including, critically, freedom from retaliation – is essential to attracting, developing, and retaining the most qualified workforce, and that a diverse workforce and a fair workplace are essential to ensuring that the Bureau achieves its mission. This emphasizes to managers that they are responsible for the success of the EEO Program, and relatedly, to the success of the employees they supervise.

5.4 Essential Element 4: Proactive prevention

According to Management Directive 715:

Agencies have an ongoing obligation to prevent discrimination on the bases of race, color, national origin, religion, sex, age, reprisal and disability, and eliminate barriers that impede free and open competition in the workplace. As part of this ongoing obligation, agencies must conduct a self-assessment on at least an annual basis to monitor progress, identify areas where barriers may operate to exclude certain groups and develop strategic plans to eliminate identified barriers.¹⁸

Self-assessments

As discussed above, CFPB has conducted or participated in various self-assessments, audits, and reviews that began or continued during FY 2016. Proactively, and in response to specific recommendations made by outside stakeholders, the Bureau has invested substantial resources in building a workplace that fosters collaboration, leverages diverse viewpoints, and offers development and advancement opportunities to all employees. Creating a positive organizational culture at a new agency is a complex task. The Bureau has been deeply committed to getting this critical task right and has taken key steps to create such a culture in the first years of its existence. To date, these efforts have included:

- Providing interactive diversity and inclusion awareness training to employees.
- Requiring managers to attend external management trainings while developing an internal training curriculum that the Bureau launched in 2014.

¹⁸ See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.D., available at <https://www.eeoc.gov/federal/directives/md715.cfm>.

- Initiating a 2.5-year Bureau-wide research effort to develop robust competency models describing the skills and expertise expected for all Bureau positions.
- Building a recruitment outreach function focused on identifying diverse talent pools, including recruitment through professional organizations and online communities focused on diversity.
- Developing data-driven pay-setting processes that use objective measures without regard to race, gender, ethnicity, sexual orientation, and other protected categories in determining salary offers.
- Introducing structured interview training to guard against bias in the interview process and improve the quality of personnel selections.
- Using the Inclusion Quotient developed by OPM to monitor AES responses related to the Bureau's inclusiveness.

Over the past two years in particular, the Bureau has continued to build its organizational culture and enhance its personnel management through development of new initiatives.

Additional steps taken during this time period included:

- Creating the Office of Equal Opportunity & Fairness, thus elevating OMWI and OCR to the Office of the Director.
- Through OMWI, conducting 48 listening sessions with more than 300 employees to better understand on-the-ground employee experiences and developing and implementing recommendations based on that feedback.
- Creating the Executive Advisory Council (EAC), a cross-divisional advisory group that integrates diversity and inclusion into the Bureau's operations through strategic guidance to the Bureau's Director and senior leaders.
- Establishing the Diversity and Inclusion Council of Employees (DICE), a staff-level analogue to the EAC that provides critical input on staff experience in regular meetings with Bureau leadership.
- Working with NTEU to establish a joint Career Pathing Working Group to develop career planning strategies and provide recommendations on opportunities for employee advancement.

- Launching a detail opportunities page on the Bureau’s intranet to increase transparency and encourage more employees to apply for these valuable opportunities.
- Creating a dedicated team within the Operations Division to improve communications to staff regarding Bureau events, policies, procedures, and other issues involving Bureau culture and work life.
- Validating and launching a new Leadership Competency Model that defines expectations and requirements for leaders at all levels of the organization, as well as a new competency model for non-supervisory staff – all of which emphasize diversity and inclusion principles.
- Through the OCR, commencing a 2-day mandatory manager and supervisor training workshop led by the EEOC Training Institute and developing an Alternative Dispute Resolution training module, among other training and learning opportunities made available by OCR.
- Mandating employee participation in a Diversity and Inclusion Awareness Workshop, which over 80% of all employees have already completed.
- Mandating a 2-day training workshop for managers on effective managing diversity and inclusion, which over 80% of managers have now completed.
- Developing a comprehensive policy for the establishment of employee-led Employee Resource Groups (ERGs).
- Launching a pilot of a Mentoring Bank program that had a very positive response. (As a result, discussions are underway to expand it.)
- Offering “Crucial Conversations,” a team-based communications course, Bureau-wide.

Overall, the Bureau has made steady progress in building an infrastructure that supports a vibrant organizational culture. The Bureau recognizes that diversity and inclusion form an especially critical component of its organizational culture, and that, as stated in our Business Case for Diversity and Inclusion, “a diverse and inclusive workforce is essential to building an agency that can do its very best work.” The Bureau has taken many steps considered best practices to build and maintain such a workplace, including those highlighted above. It has also taken steps to weave diversity and inclusion efforts into the fabric of work life at the Bureau and to preserve their importance by requiring each division of the Bureau to adopt diversity and

inclusion goals and objectives, which are reviewed and discussed at regular Division-level Performance Review meetings that include both the Bureau's Director and the OMWI Director. The Bureau has embedded diversity and inclusion principles and goals into its Agency-wide strategic plan, as well, and published a Diversity and Inclusion Strategic plan aligned to OPM's Government-Wide Diversity and Inclusion Strategic Plan.

The commitment demonstrated by these many efforts comes from the very top of the organization. Senior Bureau leaders have made a sustained, substantial, and visible commitment to fostering a positive organizational culture and to integrating fairness, diversity, and inclusion into agency actions and decisions. This commitment, evidenced by initiatives outlined above, is the motivation behind the Bureau's "Workforce of the Future" program. Workforce of the Future brings together leaders from the Office of the Director, OHC, OMWI, OCR, and other Bureau divisions and offices in a focused effort to sustain a culture where everyone is empowered to do their best work. For example, as discussed above, Workforce of the Future developed norms, including a norm about valuing diversity and inclusion, to guide interactions between individual employees and between units within the Agency, and these norms are displayed throughout Bureau meeting spaces. Workforce of the Future has called on leaders at all levels – from the Bureau Director to first-line supervisors – to model these norms and to hold themselves and their colleagues accountable for upholding them. Furthermore, Workforce of the Future will hold periodic employee outreach sessions so that employees can provide feedback on the program's progress and make recommendations for improvement. The intention is that, through regular solicitation of employee feedback, the Bureau's culture will consistently represent the voices of its diverse pool of employees.

The Bureau's EEO Program Status Report for FY2017 will provide information about continued progress on these and other relevant Bureau initiatives.

Policies and procedures

To help proactively prevent discrimination, the Bureau has promulgated and enforces clear and concise EEO and anti-discrimination policies and procedures. These policies detail employee rights and responsibilities under EEO laws. Managers and supervisors share the responsibility for successful implementation of these policies, and as a result, the EEO Program. The OCR Director, along with OHC, regularly reviews these policies and procedures to ensure they are up-to-date, legally sufficient, well communicated, applied consistently, and implemented fairly.

For instance, the Bureau has in place an *Equal Employment Opportunity (EEO) and Non-Discrimination Policy*, which is easily accessible on the Bureau's intranet and is physically given to all new employees during New Employee Orientation (NEO) training (as part of an overall "Guide to the Office of Civil Rights"), and during employee and supervisor refresher trainings. This policy clearly explains the EEO process, including how to begin the process, pertinent regulatory timeframes, and the roles and responsibilities of various offices. This policy also makes clear that discrimination, harassment, and retaliation will not be tolerated at the Bureau.

In FY 2016, the Bureau also adopted a new *Non-Discrimination and Inclusion Policy for Transgender Applicants and Employees* affirming the Bureau's commitment to protect the rights of transgender and gender-non-conforming employees. The policy emphasizes the importance of creating and maintaining a welcoming environment for transgender employees and explains how the Bureau will support gender transitions in the workplace.

The Bureau also has in place *Procedures Related to Harassment and Inappropriate Conduct*, which sets forth the Bureau's anti-harassment program pursuant to the *Faragher-Ellerth* line of Supreme Court cases and the EEOC's "Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors."¹⁹ These Bureau procedures clearly define harassment and inappropriate conduct, and make clear that harassment and/or inappropriate conduct will not be tolerated at CFPB. To ensure as inclusive a workplace as possible, this policy is purposefully broad and states, "Even inappropriate conduct that is not of sufficient severity to constitute harassment as a matter of law is considered misconduct." This policy identifies a Bureau point-of-contact that should be used if an employee is subjected to or witnesses harassment. This policy provides multiple avenues of redress for claims of harassment, and does not limit employees to the EEO process. It also makes clear that retaliation is not tolerated. As already discussed above, the EEOC, in its June 24, 2016, technical assistance letter, determined that this policy covers all types of harassment and addresses all six elements the EEOC has deemed essential for an effective anti-harassment program and procedures.

The Bureau also has in place a *Reasonable Accommodation Policy* – approved by the EEOC – to

19 This guidance is available at <http://www.eeoc.gov/policy/docs/harassment.html>.

ensure that applicants and employees know of their right under the Rehabilitation Act to receive a reasonable accommodation for disability-related limitations if needed to apply for a Bureau job, perform the essential functions of a job, or enjoy equal benefits and privileges of employment at the Bureau. This policy also explains management's responsibilities when a supervisor or manager is put on notice that an employee requires a reasonable accommodation. *Accompanying Standard Operating Procedures Related to Reasonable Accommodation Requests* lay out the interactive process used when an employee requests a reasonable accommodation for a disability. OHC reviews disability accommodation decisions and actions to ensure that discrimination is not occurring, to confirm compliance with its written procedures, and to analyze the information tracked for trends and problems.

CFPB recently revised this reasonable accommodation policy and accompanying standard operating procedures in light of lessons learned from the Agency's first Final Agency Decision finding discrimination (issued during FY 2016). The Bureau has sent its revisions to the EEOC for comment, consistent with Executive Order 13164. In FY 2017, CFPB anticipates making additional minor revisions to these procedures to comply with the EEOC's new Section 501 affirmative action regulations requiring the provision of Personal Assistance Services to individuals with targeted disabilities.

OHC has designated two people to carry out the responsibilities of the Bureau's Reasonable Accommodation program – a Reasonable Accommodation Coordinator (RAC) and a Reasonable Accommodation Deciding Official (DO). The Reasonable Accommodation program also receives legal support from the Legal Division's Office of General Law and Ethics to ensure it is complying with all legal obligations; support from the Bureau's Section 508 Program Manager for technology issues; technical assistance from OCR staff as needed; support from the Department of Treasury's Bureau of the Fiscal Services (BFS) for applicants seeking reasonable accommodations; and contractor medical professional advice when needed. Accommodations are also centrally funded and have been since CFPB opened. In FY 2016, the Bureau received 39 reasonable accommodation requests. The Bureau took an average of 18 days to decide whether to provide reasonable accommodations, and closed all reasonable accommodations in an average of 43 days. The Bureau spent \$25,430.59 in reasonable accommodation-related purchases.

The Bureau provides a wide range of information and resources through both training and communications to managers and employees about disability-related employment topics, including providing reasonable accommodations and about the Bureau's Reasonable

Accommodation policy and procedures, specifically. From the first day employees begin their tenure at the Bureau, they are informed about their rights and obligations with respect to disability-related reasonable accommodations. As part of CFPB's New Employee Orientation (NEO) and onboarding sessions, OCR provides a briefing to all newly appointed employees about EEO at the Bureau. At these sessions, employees are specifically told about their right to disability-related reasonable accommodations, and about the Bureau's policy and procedures on reasonable accommodations. OCR staff gives employees the name and contact information for the RAC. Employees are also given a binder of EEO materials that describes the reasonable accommodation process. They also are told that all of this information is readily available on the intranet. All CFPB managers and supervisors are also required to attend the various training sessions (described above), which provide information about the reasonable accommodation process and legal obligations (including a 2-day EEO training led by the EEOC Training Institute). Relatedly, OCR's intranet page has detailed information, including plain-language FAQs, about disability-related reasonable accommodations. OCR also provides supervisors and managers with an EEO Resource Manual containing information about compliance obligations, including information about complying with disability obligations and a copy of the Bureau's reasonable accommodation policies and procedures. In FY 2017, OHC will identify avenues where the Reasonable Accommodations program staff can present information on the Reasonable Accommodations program directly to employees and supervisors.

CFPB has put in place various other personnel-related policies and procedures that aid in the proactive prevention of discrimination and increase management and program accountability. Having clear and concise policies and procedures minimizes subjectivity, prevents misunderstandings about what CFPB expects from its employees and management officials, clarifies the roles and responsibilities of the various offices within the Bureau, and creates an environment and expectation of consistency in personnel decision-making Bureau-wide. Management officials follow the policies and procedures listed in the table below.

TABLE 10: BUREAU POLICIES GOVERNING MAJOR PERSONNEL ISSUES AND PROGRAMS

Bureau Policies Governing Major Personnel Issues and Programs
Procedures Related to Harassment and Inappropriate Conduct
Hiring, Promotion, and Internal Personnel Movements Policy
Attorney Hiring and Promotion Policy

Bureau Policies Governing Major Personnel Issues and Programs

Performance Management Program Policy

Disciplinary and Adverse Action Policy

Alternative Dispute Resolution Policy

Administrative Grievance Policy

In addition to formal policies, several other tools exist to assist with evenhanded implementation of personnel-related matters including, for example, a Hiring Manager's Guide, recruitment-related resources, career planning resources, and procedures for documenting declining performance.

5.5 Essential Element 5: Efficiency

Management Directive 715 explains that agencies must:

- Have an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of their EEO programs.
- Maintain an efficient, fair, and impartial complaint resolution process. Agencies should benchmark against EEOC regulations at 29 C.F.R. Part 1614 and other federal agencies of similar size highly ranked in EEOC's Annual Report on the federal sector complaints process.
- Ensure that the investigation and adjudication function of the Agency's complaint resolution process are kept separate from the legal defense arm of the agency or other agency offices with conflicting or competing interests.
- Establish and encourage the widespread use of a fair alternative dispute resolution (ADR) program that facilitates the early, effective, and efficient informal resolution of disputes. Appoint a senior official as the dispute resolution specialist of the agency charged with implementing a program to provide significant opportunities for ADR for the full range of employment-related disputes. Whenever ADR is offered in a particular workplace matter, ensure that managers at all appropriate levels will participate in the ADR process.

- Use a complaint tracking and monitoring system that permits the Agency to identify the location, status, and length of time elapsed at each stage of the Agency's complaint resolution process, the issues and the bases of the complaints, the aggrieved individuals/complainants, the involved management officials, and other information necessary to analyze complaint activity and identify trends.
- Identify, monitor, and report significant trends reflected in complaint processing activity. Analysis of data relating to the nature and disposition of EEO complaints can provide useful insight into the extent to which an agency is meeting its obligations under Title VII and the Rehabilitation Act.
- Ensure timely and complete compliance with EEOC orders and the provisions of settlement/resolution agreements.
- Maintain a system that collects and maintains accurate information on the race, national origin, sex, and disability status of agency employees.
- Maintain a system that tracks applicant flow data, which identifies applicants by race, national origin, sex, and disability status and the disposition of all applications.
- Maintain a tracking system of recruitment activities to permit analyses of these efforts in any examination of potential barriers to equality of opportunity.
- Identify and disseminate best workplace practices.²⁰

To these ends, CFPB continuously evaluates its EEO complaint resolution process to ensure it is efficient, fair, and impartial.

Neutrality

As noted above, the Director of OCR (like the Director of OEOF) reports directly to the Director

²⁰ See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.E., available at <https://www.eeoc.gov/federal/directives/md715.cfm>.

of CFPB. OCR emphasizes and maintains its neutrality and impartiality, which is critical to having an efficient and fair EEO complaint resolution process. This ensures that employees and managers know that the pre-complaint and investigation stages of the Part 1614 process are not adversarial, that OCR will provide a neutral and impartial factual record, and that, when requested, OCR will issue a final decision assessing the facts and law to determine whether or not one or more of the applicable employment discrimination laws have been violated.

The OCR Director exercises full authority to carry out the Part 1614 functions of OCR without Legal Division (i.e., General Counsel) involvement, thus ensuring impartiality and removing any possible conflict of interest. Legal resources within OCR make this possible. OCR staff, sometimes with the assistance of contractors, conducts legal sufficiency reviews of EEO matters, which includes issuing accept/dismiss decisions related to formal complaints, Reports of Investigations (ROIs), and Final Agency Decisions (FADs). The Legal Division, which defends the Bureau in these matters, is firewalled from all activities within OCR and only participates during adversarial portions of the EEO process (hearings and appeals), and during settlement negotiations, or to provide appropriate legal advice or assistance when a manager or supervisor requests it during the course of an EEO investigation. All other Bureau offices are similarly firewalled and kept separate as necessary and appropriate to avoid conflicting or competing interests.

EEO Counselings and investigations

OCR works to ensure that its counselings and investigations are done within the regulatory timeframes, and that all EEO counselor reports and ROIs are created with a high standard of quality and fairness to both parties. In FY 2016, OCR completed all counselings and related mediations within the prescribed regulatory timeframes. During FY 2016, investigations completed were completed within an average of 267 days. Final agency decisions were completed in an average of 61 days. OCR has also now hired a new Complaints Program Manager who is working to enhance standardization, efficiency, timeliness, and quality of OCR's complaint investigation approach.

By conducting EEO counseling, mediation, and investigation services through qualified third-party contractors from the GSA Schedule, CFPB provides a fair and effective dispute resolution system in accordance with 29 C.F.R. Part 1614. All contractors meet the 32 hours of training and eight hours of refresher training requirements set by the EEOC's Management Directive 110, and OCR seeks to hold contractors accountable for counseling and investigation processing

timeframes.

In FY 2016, CFPB also solicited bids for a Blanket Purchase Agreement with the goal of ensuring consistent timely and high-quality counseling-related services. This contract was awarded at the beginning of FY 2017. OCR also intends to increase the percentage of EEO counselings using OCR employees. Further, the Bureau intends to award and enter into a Blanket Purchase Agreement for investigative services, using an innovative model that will require a limited number of non-rotating contractors to conduct work onsite with OCR staff with the goal of enhancing efficiencies and quality of investigations and ROIs.

Alternative Dispute Resolution (ADR) program

The Bureau has an ADR Policy, and OCR provides additional information about the benefits of ADR on the Bureau's intranet. These materials explain the ADR process, why employees should consider ADR, the different types of ADR, and how an employee can request ADR. The Bureau's ADR Policy makes clear that although ADR is voluntary for EEO filers, supervisors and managers must participate in good faith if a filer elects ADR. The goals in having this strong ADR policy include resolving conflicts at an early stage, improving workplace communication and morale, and creating a more efficient EEO Program.

OCR offers ADR during the pre-complaint and formal complaint stages of the EEO process, including while cases are pending before the EEOC for hearing or on appeal. The Bureau also offers mediation on an ad hoc basis for non-EEO workplace disputes through OHC, under its Administrative Grievance policy, and through its negotiated grievance process. During FY 2016, OCR scheduled approximately 12 mediations.

OCR is in the process of updating, to the extent needed, its ADR Policy to ensure that it complies with the clarified standards in the revised Management Directive 110 (effective August 5, 2015). Consistent with the revised MD-110, the Legal Division – not the responsible management official directly involved in the dispute – has settlement authority for EEO cases at the administrative level, including during EEO counseling. OCR continues to assess internal data related to the success of the ADR program, including resolution rates, and is collecting information about best practices and benchmarks related to a recommendation for protocols to create a structure that may help better support openness and willingness to employ creative and early resolution options. The Agency has authorized ample funding for OCR and OHC to use contract ADR professionals to resolve workplace disputes.

In addition, and as already described above, OCR procured approval to hire a Conflict Prevention Program Manager to enhance EEO and non-EEO ADR initiatives. This individual onboarded early in FY 2017, and previously led the nationwide ADR program for Congress (30,000+ employees). OCR also detailed a Senior Attorney from another CFPB division for a four-month period to assist OCR in improving its ADR efforts.

Complaint and workforce tracking and monitoring systems

During FY 2016, OCR staff spent a significant amount of time and resources related to change management for implementing and using the Micropact iComplaints platform. This is a web-based EEO case management solution that provides a broad range of capabilities for reporting (including No FEAR Act and Form 462), processing, tracking, and managing the overall effectiveness of the CFPB's EEO Program. Throughout the first two quarters of FY 2016, OCR staff migrated case-related data (including legacy data from the Bureau and the Department of Treasury) into the iComplaints system. OCR also provided all staff with training directly from Micropact (the software vendor), and created and disseminated detailed protocols and SOPs for using the new system to ensure consistency in system inputs and data integrity. In light of these extensive change-management initiatives, the software has proven immensely helpful in enhancing case-related processing efficiencies and easing the administrative burden associated with program reporting obligations. The software already has allowed OCR to more efficiently comply with EEOC regulations and reporting obligations, identify and monitor internal EEO trends, and redirect staff time away from manual tracking and reviewing complaints data and towards work on other mission-critical projects. During FY 2017, OCR intends to procure a related complaints "executive dashboard" solution that will enable OCR, along with its new data analyst, to conduct more granular and systematic analysis of case processing (e.g., basis, issue, timeframes, etc.) trends.

The Bureau also has in place various data systems that allow for periodic examinations of the CFPB's workforce profiles by demographic characteristics. These systems maintain accurate information on the race, national origin, sex, and disability status of Bureau employees. Further, these systems allow OHC and OEOF to monitor the data to determine whether triggers may exist that could lead to barriers for equal employment opportunities.

Finally, OMWI and OHC track the Bureau's recruitment efforts to facilitate data analysis on whether recruitment programs are creating barriers to equal opportunity. CFPB also uses information it obtains from OPM's USAJobs.gov to obtain applicant flow data. For instance,

CFPB has been collecting applicant data for executive positions.

5.6 Essential Element 6: Responsiveness and legal compliance

According to Management Directive 715, Federal agencies must:

- Ensure that they are in full compliance with the law, including EEOC regulations, orders, and other written instructions.
- Report Agency program efforts and accomplishments to EEOC and respond to EEOC directives and orders in accordance with EEOC instructions and time frames.
- Ensure that management fully and timely complies with final EEOC orders for corrective action and relief in EEO matters.²¹

CFPB is committed to ensuring full compliance with the law and incorporating EEO best practices into its everyday business. OCR staff is tasked with monitoring and complying with all orders and directives by EEOC Administrative Judges and the EEOC's Office of Federal Operations.

The OCR Director's performance standards require compliance with EEOC orders. OCR staff is also responsible for compliance with EEOC orders, and has received formal training in EEO compliance.

OCR issued a Final Agency Decision in FY 2016 finding violations of both the Rehabilitation Act and Title VII of the Civil Rights Act with respect to one individual (discussed above). This finding and accompanying relief order underscore the Bureau's ability to ensure effective compliance with applicable EEO laws.

²¹ See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.F., available at <https://www.eeoc.gov/federal/directives/md715.cfm>.

The Bureau has also complied with regulatory requirements to submit an annual Form 462 Report, EEOC MD-715 Report, the Federal Equal Opportunity Recruitment Program (FEORP) Report, the Disabled Veterans Affirmative Action Program (DVAAP) Report, and quarterly and annual No FEAR Act reports.

6. Summary of workforce profiles

The workforce profile data represents the demographics of the CFPB workforce by race, sex, national origin, and disability and was retrieved from CFPB database systems. The data is based on information as of September 30, 2016.

As of the end of FY 2016, the total CFPB workforce was 1,645 employees, including 1,494 permanent employees and 151 temporary employees. The total workforce grew by 112 employees during FY 2016, representing a rate of change of 7.31 percent. During FY 2016, all EEO group populations experienced net growth with the exception of males and females of two or more races and American Indian/Alaska Native males and females. Compared to the U.S. Census Civilian National Labor Force (CLF), overall CFPB demographics have not changed significantly since FY 2015.²² White men, followed by White women, comprise the largest racial groups in CFPB, followed by Black women and Black men, respectively. There was a growth of 11 new employees with reportable disabilities from the beginning of FY 2016 to the close of FY 2016, representing a net change of 8.27 percent, which exceeds the rate of change for the total workforce.

²² The CLF is derived from the 2006-2010 American Community Survey (ACS) Equal Employment Opportunity Tabulation (EEO Tabulation). The EEO Tabulation was originally released by the U.S. Census Bureau on November 29, 2012. It provides external benchmarks to assist federal agencies in monitoring employment practices and enforcing workforce civil rights laws. Federal agencies are required to use the EEO Tabulation in preparing their annual MD-715 EEO Program Status reports. See https://www1.eeoc.gov/federal/directives/tech_assistance_06-10_EEO_tabulation.cfm.

7. Workplace analysis

TABLE 11: TOTAL WORKFORCE – FY 2015²³

	ALL	Hispanic	White	Black	Asian	NH/OPI	AI/AN	Two or More
ALL	1,533	95	983	289	141	2	12	11
%		6.20%	64.12%	18.85%	9.20%	0.13%	0.78%	0.72%
CLF		9.96%	72.36%	12.02%	3.90%	0.14%	1.08%	0.54%
Male	805	50	560	110	72	0	8	5
Female	728	45	423	179	69	2	4	6

TABLE 12: TOTAL WORKFORCE – FY 2016

	ALL	Hispanic	White	Black	Asian	NH/OPI	AI/AN	Two or More ²⁴
ALL	1,645	99	1,038	328	156	3	10	11
%		6.02%	63.10%	19.94%	9.48%	0.18%	0.61%	0.67%

²³ In the data tables in this report, total percentages across rows may not always equal 100% due to rounding.

²⁴ Race-related employee data (including data on employees who identify as two or more races) in this report is tabulated using methodologies prescribed by the Office of Management and Budget for civil rights monitoring and enforcement. See Revisions to the Standards for Classification of Federal Data on Race and Ethnicity (Oct. 30, 1997); OMB Bulletin No. 2, Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement (March 9, 2000). Depending upon its purpose, race data (including data on employees who identify as two or more races) prepared and included in other CFPB reports may not use the same methodology.

	ALL	Hispanic	White	Black	Asian	NH/OPI	AI/AN	Two or More ²⁴
CLF		9.96%	72.36%	12.02%	3.90%	0.14%	1.08%	0.54%
Male	844	54	577	121	80	1	7	4
Female	801	45	461	207	76	2	3	7

Data as of September 30, 2016. Workforce numbers for FY 2015 included in this FY 2016 Status Report may differ slightly from corresponding data reported in the FY 2015 Status Report. This is due to retroactive processing of personnel actions, late processing of personnel actions, or other changes made in applicable data systems since the data was finalized for the FY 2015 Status Report.

TABLE 13: TOTAL WORKFORCE – FY 2015 COMPARED TO FY 2016

	ALL	Hispanic	White	Black	Asian	NH/OPI	AI/AN	Two or More
Difference	+112	+4	+55	+39	+15	+1	-2	0
Male	+39	+4	+17	+11	+8	+1	-1	-1
Female	+73	0	+38	+28	+7	+0	-1	+1
Ratio Change								
Male	-1.20%	0.02%	-1.45%	0.18%	0.17%	0.06%	-0.10%	-0.08%
Female	1.20%	-0.20%	0.43%	0.91%	0.12%	-0.01%	-0.08%	0.03%
Net Change	7.31%							
Male	4.84%	8.00%	3.04%	10.00%	11.11%	100.00%	-12.50%	-20.00%
Female	10.03%	0.00%	8.98%	15.64%	10.14%	0.00%	-25.00%	16.67%

At the close of FY 2016, CFPB employed a total of 1,645 employees – 1,494 permanent employees and 151 temporary employees. This was an increase in temporary employees from 141 to 151; however, temporary employees slightly decreased as a percentage of the total workforce. In FY 2015, temporary employees made up 9.20% of the workforce and in FY 2016, temporary employees made up 9.18% of the workforce. The number of permanent employees increased by 102 (90.82% of the total workforce in FY 2016).

Males totaled 767 or 51.34% of the permanent workforce – a decrease from 52.56% in FY 2015 and slightly lower when compared to the CLF availability of 51.86%. Females totaled 727 or 48.66% of the permanent workforce, an increase from 47.44% in FY 2015, and slightly higher as compared to the CLF availability of 48.14%.

7.1 Permanent workforce: participation of class grouping

TABLE 14: PERMANENT WORKFORCE

Group	Total number FY 2016	Percentage	Total number FY 2015	Percentage	Net change	CLF
White Male	519	34.74%	501	35.99%	3.59%	38.33%
White Female	413	27.64%	379	27.23%	8.97%	34.03%
Black Male	116	7.76%	105	7.54%	10.48%	5.49%
Black Female	195	13.05%	169	12.14%	15.38%	6.53%
Hispanic Male	47	3.15%	44	3.16%	6.82%	5.17%
Hispanic Female	41	2.74%	40	2.87%	2.50%	4.79%
Asian Male	74	4.95%	67	4.81%	10.45%	1.97%
Asian Female	67	4.48%	63	4.53%	6.35%	1.93%
NH/PI Male	1	0.07%	0	0.00%	100.00%	0.07%
NH/PI Female	2	0.13%	2	0.14%	0.00%	0.07%
AI/AN Male	7	0.47%	8	0.57%	-12.50%	0.55%
AI/AN Female	3	0.20%	3	0.22%	0.00%	0.53%
2 or More Male	3	0.20%	5	0.36%	-40.00%	0.26%
2 or More Female	6	0.40%	6	0.43%	0.00%	0.28%

For the permanent workforce, White females are employed at CFPB at a rate of 27.64% (413), which is below the CLF of 34.03%. The percentage of White females slightly increased from the FY 2015 rate of 27.23% (379). Hispanic males are employed at a rate of 3.15% (47) and Hispanic females at 2.74% (41), which remain below the CLF of 5.17% and 4.79%, respectively. American Indian/Alaska Native males are employed at 0.47% (7), which is a net change of -12.50% compared with FY 2015 when American Indian/Alaska Native males were employed at 0.57% (8). Males who are two or more races were reported at 0.20% (3), slightly below the CLF of 0.26%; this is a net change of -40% compared with FY 2015 when males of two or more races

were employed at 0.36% (5).

Asian males are employed at a rate of 4.95% (74) and Asian females are employed at a rate of 4.48% (67), which are above the CLF of 1.97% and 1.93%, respectively. CFPB employed Black males at a rate of 7.76% (116) and Black females at 13.05% (195), which were above the CLF of 5.49% and 6.53%, respectively.

7.2 Temporary workforce: participation of class grouping

TABLE 15: TEMPORARY WORKFORCE

Group	Total number FY 2016	Percentage	Total number FY 2015	Percentage	Net change	CLF
White Male	58	38.41%	59	41.84%	-1.69%	38.33%
White Female	48	31.79%	44	31.21%	9.09%	34.03%
Black Male	5	3.31%	5	3.55%	0.00%	5.49%
Black Female	12	7.95%	10	7.09%	20.00%	6.53%
Hispanic Male	7	4.64%	6	4.26%	16.67%	5.17%
Hispanic Female	4	2.65%	5	3.55%	-20.00%	4.79%
Asian Male	6	3.97%	5	3.55%	20.00%	1.97%
Asian Female	9	5.96%	6	4.26%	0.00%	1.93%
NH/PI Male	0	0.00%	0	0.00%	0.00%	0.07%
NH/PI Female	0	0.00%	0	0.00%	0.00%	0.07%
AI/AN Male	0	0.00%	0	0.00%	0.00%	0.55%
AI/AN Female	0	0.00%	1	0.71%	-100.00%	0.53%
2 or More Male	1	0.66%	0	0.00%	100.00%	0.26%
2 or More Female	1	0.66%	0	0.00%	100.00%	0.28%

The temporary workforce grew by 7.09% when compared with FY 2015 from 141 in FY 2015 to 151 employees in FY 2016. At the end of FY 2016, there were no Native Hawaiian/Pacific Islander males or females and no American Indian/Alaska Native males or females in the temporary workforce. There is one male and one female of two or more races in the temporary workforce, a net change of 100% (both at 0 employees in FY 2015). Hispanic females experienced a net change of -20.00% from 5 to 4 employees between FY 2015 to FY 2016. White females, Black females, and Asian males and females experienced an increase in representation in the temporary workforce, and their respective representations are all higher than the CLF.

7.3 Analysis of senior pay bands by grouping (permanent employees)

In the permanent workforce, White males and females, Black males and females, Hispanic males and females, and Asian males and females are represented in all senior bands CN-53 to CN-81/92/90.

Native Hawaiian/Pacific Islander males are not represented in any senior bands between CN-53 to CN-81/82/90 and Native Hawaiian/Pacific Islander females are represented only in senior band CN-60.

American Indian/Alaska Native males are represented in senior band CN-53 and CN-60. American Indian/Alaska Native females are represented in senior bands CN-60 and CN-71.

Females of two or more races are represented at senior bands CN-60 and CN-71, while males of two or more races are only represented at senior band CN-60.

TABLE 16: SENIOR PAY BANDS BY GENDER (PERMANENT WORKFORCE)

	Male	Female
GS-13/CN-53	165	140
	54.10%	45.90%
GS-14/CN-60	185	191
	49.20%	50.80%

GS-15/CN-71	126	124
	50.40%	49.60%
CN-81/82/90	30	24
	55.56%	44.44%

TABLE 17: SENIOR PAY BANDS BY GROUPING (PERMANENT WORKFORCE)

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
GS-13/ CN-53	108	77	28	39	12	7	14	17	0	0	3	0	0	0
%	35.41 %	25.25 %	9.18 %	12.79 %	3.93 %	2.30 %	4.59 %	5.57 %	0.00 %	0.00 %	0.98 %	0.00 %	0.00 %	0.00 %
GS-14/ CN-60	137	124	19	36	9	10	17	17	0	1	1	1	2	2
%	36.44 %	32.98 %	5.05 %	9.57 %	2.39 %	2.66 %	4.52 %	4.52 %	0.00 %	0.27 %	0.27 %	0.27 %	0.53 %	0.53 %
GS-15/ CN-71	102	87	11	16	6	5	7	13	0	0	0	1	0	2
%	40.80 %	34.80 %	4.40 %	6.40 %	2.40 %	2.00 %	2.80 %	5.20 %	0.00 %	0.00 %	0.00 %	0.40 %	0.00 %	0.80 %
CN-81/82/ 90	18	18	3	3	3	1	6	2	0	0	0	0	0	0
%	33.33 %	33.33 %	5.56 %	5.56 %	5.56 %	1.85 %	11.11 %	3.70 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %

7.4 New hires: permanent

Permanent new hires for FY 2016 consisted of 104 females (56.52%), which is higher than the CLF availability of 48.14%. However, White females were 27.17% (50) of the new hires, which is lower than the 34.03% CLF availability and consistent with FY 2015. Black females were 21.20% (39) of the new hires, which is above the 6.53% CLF availability. Black males were 6.52% (12) of the new hires, which is also above the 5.49% CLF availability and which is consistent with FY 2015. Hispanic females and Hispanic males were 3.26% (6) and 2.72% (5), respectively, of the new hires, which is lower than the respective 4.79% and 5.17% CLF availability. However, the percentage of new hire Hispanic females is an improvement over FY 2015. Asian females and

Asian males were 4.35% (8) and 5.43% (10), respectively, of the new hires, which are above the respective 1.93% and 1.97% CLF availability and an improvement for Asian new hire representation over FY 2015. Native Hawaiian/Pacific Islander females and males were 0.00% (0) and 0.54% (1), respectively, which is below the 0.07% CLF availability for females, but above the 0.07% CLF availability for males and also an improvement from FY 2015. American Indian/Alaska Native females and males were 0.00% (0) of the new hires, which is lower than the respective 0.53% and 0.55% CLF availability. Females of two or more races were 0.54% (1) of the new hires, which is higher than the CLF availability of 0.28%. Males who are two or more races were not among the permanent new hires for FY 2016.

TABLE 18: NEW PERMANENT HIRES BY GENDER

	Male	Female
Number	80	104
Percent	43.48%	56.52%
CLF	51.86%	48.14%

TABLE 19: NEW PERMANENT HIRES BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	52	50	12	39	5	6	10	8	1	0	0	0	0	1
%	28.26 %	27.17 %	6.52 %	21.20 %	2.72 %	3.26 %	5.43 %	4.35 %	0.54 %	0.00 %	0.00 %	0.00 %	0.00 %	0.54 %
CLF	38.33 %	34.03 %	5.49 %	6.53 %	5.17 %	4.79 %	1.97 %	1.93 %	0.07 %	0.07 %	0.55 %	0.53 %	0.26 %	0.28 %

7.5 New hires: temporary

Temporary hires for FY 2016 consisted of 59 (49.17%) females, which is higher than the CLF availability of 48.14%. White females consisted of 31.67% (38) of the temporary hires, which is lower than the CLF availability of 34.03%. Black males consisted of 5.00% (6) of the temporary hires, which is slightly lower than the CLF availability of 5.49%. Hispanic males made up 4.17% (5) of the temporary hires and Hispanic females consisted of 0.83% (1), which are both lower

than the CLF availability of 5.17% and 4.79%, respectively. Asian males made up 5.00% (6) and Asian females comprised 7.50% (9) of the temporary hires, which both significantly exceed the CLF availability of 1.97% and 1.93%, respectively. Native Hawaiian/Pacific Islander males and females and American Indian/Alaska Native males and females were not among the temporary hires for FY 2016. Males and females who were two or more races made up 0.83% (1) each, which exceeded the respective CLF availability of 0.26% and 0.28%.

TABLE 20: NEW TEMPORARY HIRES BY GENDER

	Male	Female
Number	61	59
Percent	50.83%	49.17%
CLF	51.86%	48.14%

TABLE 21: NEW TEMPORARY HIRES BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	43	38	6	10	5	1	6	9	0	0	0	0	1	1
%	35.83 %	31.67 %	5.00 %	8.33 %	4.17 %	0.83 %	5.00 %	7.50 %	0.00 %	0.00 %	0.00 %	0.00 %	0.83 %	0.83 %
CLF	38.33 %	34.03 %	5.49 %	6.53 %	5.17 %	4.79 %	1.97 %	1.93 %	0.07 %	0.07 %	0.55 %	0.53 %	0.26 %	0.28 %

7.6 Mission critical occupations

CFPB has four key occupational groups that are instrumental and deemed “mission critical” to

performing the Bureau's mandates: Examiner (0570), General Attorney (0905), Economist (0110), and Miscellaneous Administration and Program (0301). Each of the mission critical occupations is mapped to a relevant U.S. Census occupation code. The EEO tabulation tool then outputs the relevant occupational CLF based on the cross-walk of codes for citizens in the nation-wide database.²⁵

7.6.1 Examiner (0570)

During FY 2016, CFPB employed 428 examiners (0570 series) – 283 (66.12%) males and 145 (33.88%) females. The demographic breakdown was as follows:

- White males: 172 (40.19%)
- White females: 83 (19.39%)
- Black males: 61 (14.25%)
- Black females: 36 (8.41%)
- Hispanic males: 19 (4.44%)
- Hispanic females: 9 (2.10%)
- Asian males: 25 (5.84%)
- Asian females: 13 (3.04%)
- Native Hawaiian/Pacific Islander males: 1 (0.23%)
- Native Hawaiian/Pacific Islander females: 1 (0.23%)
- American Indian/Alaska Native males: 5 (1.17%)
- American Indian/Alaska Native females: 1 (0.23%)

²⁵ See <https://www.eeoc.gov/federal/directives/00-09opmcode.cfm>.

- Females of two or more races: 2 (0.47%)
- Males of two or more races: 0 (0.00%)

TABLE 22: EXAMINERS BY GENDER

	Male	Female
Number	283	145
Percent	66.12%	33.88%
Occ CLF	54.70%	45.30%
Total Workforce Participation (TWP)	51.31%	48.69%

TABLE 23: EXAMINERS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	172	83	61	36	19	9	25	13	1	1	5	1	0	2
%	40.19 %	19.39 %	14.25 %	8.41 %	4.44 %	2.10 %	5.84 %	3.04 %	0.23 %	0.23 %	1.17 %	0.23 %	0.00 %	0.47 %
Occ CLF	44.10 %	28.30 %	3.60 %	8.70 %	3.10 %	3.70 %	3.70 %	4.00 %	0.00 %	0.00 %	0.10 %	0.30 %	0.20 %	0.30 %
TWP	35.08 %	28.02 %	7.36 %	12.58 %	3.28 %	2.74 %	4.86 %	4.62 %	0.06 %	0.12 %	0.43 %	0.18 %	0.24 %	0.43 %

7.6.2 General attorney (0905)

During FY 2016, CFPB employed 316 employees in the General Attorney (0905 series) occupational series – 44.94% (142) males and 55.06% (174) females. The demographic breakdown was as follows:

- White males (114) comprised 36.08%
- White females (128) comprised 40.51%
- Black males (9) comprised 2.85%

- Black females (16) comprised 5.06%
- Hispanic males (7) comprised 2.22%
- Hispanic females (7) comprised 2.22%
- Asian males (9) comprised 2.85%
- Asian females (19) comprised 6.01%
- American Indian or Alaska Native males (1) comprised 0.32%
- American Indian or Alaska Native females (1) comprised 0.32%
- Males of two or more races (2) comprised 0.63%
- Females of two or more races (3) comprised 0.95%

TABLE 24: GENERAL ATTORNEYS BY GENDER

	Male	Female
Number	142	174
Percent	44.94%	55.06%
Occ CLF	66.70%	33.30%
Total Workforce Participation (TWP)	51.31%	48.69%

TABLE 25: GENERAL ATTORNEYS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	114	128	9	16	7	7	9	19	0	0	1	1	2	3
%	36.08 %	40.51 %	2.85 %	5.06 %	2.22 %	2.22 %	2.85 %	6.01 %	0.00 %	0.00 %	0.32 %	0.32 %	0.63 %	0.95 %
Occ CLF	59.70 %	26.70 %	2.10 %	2.60 %	2.50 %	1.80 %	1.80 %	1.80 %	0.00 %	0.00 %	0.30 %	0.20 %	0.20 %	0.20 %
TWP	35.08 %	28.02 %	7.36 %	12.58 %	3.28 %	2.74 %	4.86 %	4.62 %	0.06 %	0.12 %	0.43 %	0.18 %	0.24 %	0.43 %

7.6.3 Economist (0110)

During FY 2016, CFPB employed 44 employees in the Economists (0110 series) occupational series – 61.36% (27) males and 38.64% (17) females. The demographic breakdown was as follows:

- White males (22) comprised 50%
- White females (8) comprised 18.18%
- Black males (2) comprised 4.55%
- Black females (2) comprised 4.55%
- Hispanic males (2) comprised 4.55%
- Asian males (1) comprised 2.27%
- Asian females (7) comprised 15.91%

TABLE 26: ECONOMISTS BY GENDER

	Male	Female
Number	27	17
Percent	61.36%	38.64%
Occ CLF	67.10%	32.90%
Total Workforce Participation (TWP)	51.31%	48.69%

TABLE 27: ECONOMIST BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	22	8	2	2	2	0	1	7	0	0	0	0	0	0
%	50.00 %	18.18 %	4.55 %	4.55 %	4.55 %	0.00 %	2.27 %	15.9 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
Occ CLF	55.80 %	25.20 %	2.80 %	2.70 %	3.30 %	1.80 %	4.50 %	3.10 %	0.00 %	0.10 %	0.50 %	0.10 %	0.20 %	0.00 %
TWP	35.08 %	28.02 %	7.36 %	12.58 %	3.28 %	2.74 %	4.86 %	4.62 %	0.06 %	0.12 %	0.43 %	0.18 %	0.24 %	0.43 %

7.6.4 Miscellaneous administration and program (0301)

During FY 2016, CFPB employed 321 employees in the Miscellaneous Administration and Program (0301 series) occupational series – 46.11% (148) males and 53.89% (173) females. The demographic breakdown was as follows:

- White males (100) comprised 31.15%
- White females (83) comprised 25.86%
- Black males (23) comprised 7.17%
- Black females (60) comprised 18.69%
- Hispanic males (8) comprised 2.49%
- Hispanic females (12) comprised 3.74%
- Asian males (16) comprised 4.98%
- Asian females (15) comprised 4.67%
- Native Hawaiian or Pacific Islander females (1) comprised 0.31%
- American Indian or Alaska Native males (1) comprised 0.31%
- American Indian or Alaska Native females (1) comprised 0.31%
- Females of two or more races (1) comprised 0.31%
- Males of two or more races (0) comprised 0.00%

TABLE 28: MISC. ADMINISTRATION BY GENDER

	Male	Female
Number	148	173
Percent	46.11%	53.89%
Occ CLF	36.70%	63.30%
Total Workforce Participation (TWP)	51.31%	48.69%

TABLE 29: MISC. ADMINISTRATION BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	100	83	23	60	8	12	16	15	0	1	1	1	0	1
%	31.15 %	25.86 %	7.17 %	18.69 %	2.49 %	3.74 %	4.98 %	4.67 %	0.00 %	0.31 %	0.31 %	0.31 %	0.00 %	0.31 %
Occ CLF	27.10 %	43.80 %	3.60 %	8.90 %	2.80 %	5.80 %	2.60 %	3.60 %	0.00 %	0.10 %	0.20 %	0.50 %	0.20 %	0.30 %
TWP	35.08 %	28.02 %	7.36 %	12.58 %	3.28 %	2.74 %	4.86 %	4.62 %	0.06 %	0.12 %	0.43 %	0.18 %	0.24 %	0.43 %

7.7 Non-competitive promotion eligibility

Throughout FY 2016, 341 employees were eligible for career ladder promotions, 196 of which were males and 145 of which were females. Of the 341 who were eligible for career ladder promotions, 301 received the promotion within 1 to 12 months' time in band, 4 received the promotion within 12-24 months, and 9 received the promotion in 25+ months. Of those who were eligible for promotion in FY 2016:

- 122 (35.78%) were White males
- 64 (18.77%) were White females
- 33 (9.68%) were Black males

- 56 (16.42%) were Black females
- 18 (5.28%) were Hispanic males
- 11 (3.23%) were Hispanic females
- 21 (6.16%) were Asian males
- 13 (3.81%) were Asian females
- 1 (0.29%) was a Native Hawaiian or Pacific Islander male
- 1 (0.29%) was a male of two or more races
- 1 (0.29%) was a female of two or more races

Of the 341 employees eligible to receive a career ladder promotion, 27 did not receive a career ladder promotion:

- 10 (37.04%) were White males
- 6 (22.22%) were White females
- 3 (11.11%) were Black males
- 3 (11.11%) were Black females
- 2 (7.41%) were Hispanic males
- 2 (7.41%) were Hispanic females
- 1 (3.70%) was an Asian female

TABLE 30: NON-COMPETITIVE PROMOTIONS BY GENDER

	Male	Female
Eligible for Promotions	196	145
Percent (of those eligible)	57.48%	42.52%
Did Not Receive	15	12

	Male	Female
Percent (of those not receiving)	55.56%	44.44%

TABLE 31: ELIGIBLES FOR NON-COMPETITIVE PROMOTIONS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	122	64	33	56	18	11	21	13	1	0	0	0	1	1
%	35.78 %	18.77 %	9.68 %	16.42 %	5.28 %	3.23 %	6.16 %	3.81 %	0.29 %	0.00 %	0.00 %	0.00 %	0.29 %	0.29 %
1-12 mos (#)	110	58	27	45	16	9	21	12	1	0	0	0	1	1
1-12 mos (%)	36.54 %	19.27 %	8.97 %	14.95 %	5.32 %	2.99 %	6.98 %	3.99 %	0.33 %	0.00 %	0.00 %	0.00 %	0.33 %	0.33 %
13-24 mos (#)	1	0	0	3	0	0	0	0	0	0	0	0	0	0
13-24 mos (%)	25.00 %	0.00 %	0.00 %	75.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
25+ mos (#)	1	0	3	5	0	0	0	0	0	0	0	0	0	0
25+ mos (%)	11.11 %	0.00 %	33.33 %	55.5 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %
Did not receive (#)	10	6	3	3	2	2	0	1	0	0	0	0	0	0
Did not receive (%) ²⁶	37.04 %	22.22 %	11.11 %	11.11 %	7.41 %	7.41 %	0.00 %	3.70 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %

26 Under the Examiner Commission Program (ECP), it may take longer than 12 months for an examiner to be non-competitively promoted since commissioning is required to meet the minimum qualifications for non-competitive promotion to the CN-52. Examiners will still have the ability to non-competitively be promoted to the CN-52 once they fulfill the promotion requirements.

7.8 Separations

7.8.1 Total separations

A total of 96 permanent employees were separated during FY 2016 – 55 (or 57.29%) males and 41 (or 42.71%) females. Separations include resignations, terminations, transfers, and retirements. White males, at 41 (or 42.71%), were the largest group separated. Other rates of separation include:

- White females – 17 or 17.71%
- Black males – 4 or 4.17%
- Black females – 13 or 13.54%
- Hispanic males – 4 or 4.17%
- Hispanic females – 4 or 4.17%
- Asian males – 3 or 3.13%
- Asian females – 6 or 6.25%
- American Indian or Alaska Native – 1 or 1.04%
- Males of two or more races – 2 or 2.08%
- Females of two or more races – 1 or 1.04%

TABLE 32: TOTAL SEPARATIONS BY GENDER

	Male	Female
Number	55	41
Percent	57.29%	42.71%

TABLE 33: TOTAL SEPARATIONS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	41	17	4	13	4	4	3	6	0	0	1	0	2	1
%	42.71 %	17.71 %	4.17 %	13.54 %	4.17 %	4.17 %	3.13 %	6.25 %	0.00 %	0.00 %	1.04 %	0.00 %	2.08 %	1.04 %

7.8.2 Resignations

Of the 96 separations, 59 were resignations, the largest group of whom was White males (27) at 45.76%. Other resignation rates include:

- 9 or 15.25% White females
- 3 or 5.08% Black males
- 5 or 8.47% Black females
- 3 or 5.08% Hispanic males
- 3 or 5.08% Hispanic females
- 1 or 1.69% Asian males
- 6 or 10.17% Asian females
- 1 or 1.69% American Indian or Alaska native males

TABLE 34: RESIGNATIONS BY GENDER

	Male	Female
Number	35	24
Percent	59.32%	40.68%

TABLE 35: RESIGNATIONS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	27	9	3	5	3	3	1	6	0	0	1	0	0	1
%	45.76 %	15.25 %	5.08 %	8.47 %	5.08 %	5.08 %	1.69 %	10.17 %	0.00 %	0.00 %	1.69 %	0.00 %	0.00 %	1.69 %

7.8.3 Terminations

There were 0 terminations in FY 2016.

TABLE 36: TERMINATIONS BY GENDER

	Male	Female
Number	0	0
Percent	0.00%	0.00%

TABLE 37: TERMINATIONS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	0	0	0	0	0	0	0	0	0	0	0	0	0	0
%	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %

7.8.4 Transfers to another federal agency

In FY 2016 there were 23 transfers – 13 (or 56.52%) males and 10 (or 43.48%) females. Other transfer rates include:

- 7 White males (30.43%)
- 3 White females (13.04%)
- 1 Black male (4.35%)

- 6 Black females (26.09%)
- 1 Hispanic male (4.35%)
- 1 Hispanic female (4.35%)
- 2 Asian males (8.70%)
- 2 males of two or more races (8.70%)

TABLE 38: TRANSFERS BY GENDER

	Male	Female
Number	13	10
Percent	56.52%	43.48%

TABLE 39: TRANSFERS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	7	3	1	6	1	1	2	0	0	0	0	0	2	0
%	30.43 %	13.04 %	4.35 %	26.09 %	4.35 %	4.35 %	8.70 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	8.70 %	0.00 %

7.8.5 Retirements

During FY 2016, there were 12 retirements: 7 males (or 58.33%) and 5 females (or 41.67%). Of the 12 retirements, 7 were White males (58.33%), 4 were White females (33.33%) and 1 was a Black female (8.33%).

TABLE 40: RETIREMENTS BY GENDER

	Male	Female
Number	7	5
Percent	58.33%	41.67%

TABLE 41: RETIREMENTS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	7	4	0	1	0	0	0	0	0	0	0	0	0	0
%	58.33 %	33.33 %	0.00 %	8.33 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %

7.9 Awards

A new Awards and Recognition Article to the Bureau's Collective Bargaining Agreement was negotiated, adopted, and implemented in FY 2016 for FY 2016. During FY 2016, time off awards (NOA 846) and individual spot awards (NOA 887) were processed. Additional awards including Superior Achievement awards (also NOA 887) and Team Achievement awards (NOA 889) were not processed during FY 2016 and will be reported on in the FY 2017 status report. CFPB's Awards program year will always span two fiscal years, so a full program year analysis will be conducted using a more complete data set than shown here (which reflects only a partial first year program implementation).

For the awards paid out in FY 2016, the different award breakdown averages were as follows:

- Cash awards, average \$428.26
- Time off awards (9 hours or less), average 8 hours
- Time off awards (over 9 hours), average 20.66 hours

TABLE 42: CASH AWARDS BY GENDER

	Male	Female
Cash Award (#)	149	158
Cash Award (%)	48.53%	51.47%
Average Award	\$432.55	\$424.21

TABLE 43: CASH AWARDS BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	106	87	15	47	16	8	10	15	0	0	0	0	2	1
%	34.53 %	28.34 %	4.89 %	15.31 %	5.21 %	2.61 %	3.26 %	4.89 %	0.00 %	0.00 %	0.00 %	0.00 %	0.65 %	0.33 %

TABLE 44: TIME OFF AWARDS (9 HOURS OR LESS) BY GENDER

	Male	Female
Time Off, 9 hours or less (#)	27	24
Time Off, 9 hours or less (%)	52.94%	47.06%
Average Award	8 hours	8 hours

TABLE 45: TIME OFF AWARDS (9 HOURS OR LESS) BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	20	18	4	2	0	1	2	2	0	0	1	0	0	1
%	39.22 %	35.29 %	7.84 %	3.92 %	0.00 %	1.96 %	3.92 %	3.92 %	0.00 %	0.00 %	1.96 %	0.00 %	0.00 %	1.96 %

TABLE 46: TIME OFF AWARDS (OVER 9 HOURS) BY GENDER

	Male	Female
Time Off, over 9 hours (#)	54	73
Time Off, over 9 hours (%)	42.52%	57.48%
Average Award	19.85 hours	21.26 hours

TABLE 47: TIME OFF AWARDS (OVER 9 HOURS) BY GROUPING

	WM	WF	BM	BF	HM	HF	AM	AF	NH/ PI M	NH/ PI F	AI/A N M	AI/A N F	2+M	2+F
#	39	37	2	26	2	6	10	3	0	0	1	0	0	1
%	30.71 %	29.13 %	1.57 %	20.47 %	1.57 %	4.72 %	7.87 %	2.36 %	0.00 %	0.00 %	0.79 %	0.00 %	0.00 %	0.79 %

Summary of EEO plan objectives to eliminate barriers or correct deficiencies

For its FY 2016 Plan update, CFPB has developed action plans to eliminate possible barriers in hiring as summarized below and set forth fully in Part I.

CFPB will continue to analyze hiring processes to reveal and eliminate impediments to certain minority applicants proceeding further in the application process. Recruiting, hiring, and retaining diverse employees should also help to improve the participation of minorities. (See *also* Part I-1 for more detail.)

8. Certification of establishment of continuing equal employment opportunity programs

Stuart Ishimaru, Director, Office of Equal Opportunity and Fairness, along with M. Stacey Bach, Director of the Office of Civil Rights, are Principal EEO Officials for the Consumer Financial Protection Bureau.

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 workforce 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.

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

Stuart Ishimaru

Digitally signed by Stuart Ishimaru
Date: 2017.01.27 16:57:48 -05'00'

Stuart Ishimaru
Director of OEOF

Date


M. Stacey Bach

Digitally signed by M. Stacey Bach
Date: 2017.01.27 15:03:21 -05'00'

M. Stacey Bach
Director of OCR

Date

I certify that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.



Richard Cordray
Director of CFPB

1/26/17

Date

9. EEO program self-assessment checklist

CFPB conducted the mandatory self-assessment of its EEO Program by completing the Self-Assessment Checklist. CFPB will retain the checklist and supporting documentation and data, and make it available upon request by the EEOC.

10. EEO plan for attaining the essential elements of a model EEO program

TABLE 48: EEOC PART H-1

EEOC Form 715-01 Part H-1	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
Consumer Financial Protection Bureau	FY 2016
Statement of model program essential element deficiency	CFPB no longer views this as a deficiency. When this issue was first reported CFPB had not yet established official Special Emphasis Programs (SEP) (e.g., Federal Women's Program, Hispanic Employment Program, People with Disabilities Program Manager) or a Selective Placement Program (SPP).
Objective	Establish Special Emphasis Programs
Responsible official	OCR Director, OMWI Director, Chief Human Capital Officer
Date objective initiated	April 30, 2013
Target date for completion of objective	N/A
Planned activities toward completion of objective	The Bureau no longer views this as a deficiency. The Bureau included SEPs as a top action item in its agency-wide Diversity and Inclusion Strategic Plan adopted in FY 2016. Stakeholders will continue to implement this action item, in part by following up with the individuals who perform these functions within OHC, OMWI, OCR, and diversity councils to ensure that they fulfill these functions as envisioned in the EEOC's regulations. OCR also has onboarded a new FTE in FY 2017 who will assist with related duties.

Report of accomplishments and modifications to objective

The Bureau included “Supporting Special Emphasis Programs” as a top action item in its Diversity and Inclusion Strategic Plan developed in FY 2016 and finalized in early FY 2017. This Strategic Plan action time requires the Bureau to:

“Support Special Emphasis Programs (SEPs) through resources such as Employee Resource Groups (ERGs), Diversity Council of Employees (DICE), and Culture Team (CT) and the Office of Civil Rights. Appoint collateral duty SEP Managers as advisors on hiring, retaining, and promoting a diverse workforce” by “[e]xplor[ing] innovative models for programs that can provide advice on hiring, retaining, and promoting a diverse workforce for specific groups.”

The Bureau currently has staff – primarily in OEOF and OHC, but also in other Bureau Divisions, including External Affairs and the Bureau’s Director’s Office of Strategy – that collectively serve the functions of Special Emphasis Program Managers, without that official title. These staff members serve as staff advisors, fact finders, and subject matter experts, and exist to identify the barriers that people in various communities (such as women, historically underrepresented groups, people with disabilities, and the LGBTQ+ community) may encounter when seeking employment and being hired or promoted in the Federal government. Together these individuals collaborate to educate leadership by developing programs, forums, recruitment, and retention and succession plans and by developing training programs. They further evaluate the effectiveness of programs, plans, and activities toward achieving the objectives of the EEO program.

The following are some of the specific initiatives currently in place at the Bureau to advance the goals of Special Emphasis Programs. The Bureau has:

- created a three-year diversity and inclusion strategic plan that outlined specific goals and strategies to increase diversity and support inclusion at the Bureau;
- continued to use the Executive Advisory (Diversity and Inclusion) Council, a cross-divisional group of senior leaders working to strengthen and integrate diversity and inclusion into the Bureau’s functioning by providing strategic guidance, advocacy and support for diversity and inclusion in the Bureau;
- worked with each Division to develop and implement diversity and inclusion objectives in their Divisional strategic plans aimed at increasing the diversity among their staff, and

ensuring that the work environment is inclusive for all employees;

- provided a mandatory two-day training workshop on diversity and inclusion and a two-day training working on EEO compliance for all supervisors and managers to help them strengthen their skills in leading and managing a diverse and inclusive workforce;
- provided mandatory training for all non-supervisory employees to increase their awareness and understanding of the importance of diversity and inclusion and how it enhances the overall effectiveness of the Bureau;
- collaborated across Divisions to enhance supervisory and employee training offered to ensure that compliance, diversity and inclusion concepts are addressed, such as in the supervisory development sessions, leadership effectiveness seminars, and structured interview training;
- presented a seminar to managers on identifying and utilizing effective strategies for mitigating unconscious bias and ensuring compliance with civil rights mandates in performance evaluations;
- worked to establish and maintain relationships with, and outreach to, professional organizations that represent Veterans, Disabled Veterans, individuals with disabilities generally, Hispanics, LGBTQ+ individuals, and other minority constituencies (including by attending career fairs and professional association meetings throughout the year to meet and provide information on CFPB, and on employment opportunities to these groups, including posting vacancies on bulletin boards geared to these groups of professionals);
- established, and launched, the inaugural term of Diversity and Inclusion Council of Employees (DICE), whose members represent employees from throughout the Bureau, from both the Headquarters and the Regional offices;
- adopted and began to implement an Employee Resource Group policy to serve as a guide to employees who want to form interest-based groups to assist the Bureau in understanding and considering various perspectives in our service to the diverse spectrum of consumers, and to serve as a vehicle to assist in networking, recruiting and retaining a diverse workforce;
- analyzed the Annual Employee Survey (AES) results to assess employee perceptions of

the Bureau across demographic groups and to use the Inclusion Quotient, included in the AES in planning to help all employees feel included in the Bureau.

- developed and delivered programs and activities for the various special observance months throughout the year, which have been very well-received.

The Bureau will continue to monitor this issue to ensure that the functions of the Special Emphasis Program are being fulfilled, and will re-analyze the efficiency of this collaborative effort on a continuing basis to determine whether there are more effective alternatives that should be explored, including using or dedicating existing or new personnel to SEP efforts.

TABLE 49: EEOC PART H-2

EEOC Form 715-01 Part H-2	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
Consumer Financial Protection Bureau	FY 2016
Statement of model program essential element deficiency	CFPB no longer views this as a deficiency. When this issue was first reported, CFPB had not yet established timetables or schedules to review its Employee Awards and Recognition Program and Procedures for systemic barriers that may be impeding full participation in the program by all groups.
Objective	CFPB will implement its Employee Awards and Recognition Program and Procedures.
Responsible official	OHC Director
Date objective initiated	FY 2014
Target date for completion of objective	N/A
Planned activities toward completion of objective	<p>A new Awards and Recognition Article to the Bureau's Collective Bargaining Agreement was negotiated and adopted in FY 2016 for FY 2016. The Article was implemented in FY 2016. Rollout of the program included training on recognizing the potential for and preventing unconscious bias to affect awards. A variety of analyses were performed as described below. No barriers were identified.</p> <p>NTEU and Bureau management will negotiate the Awards and Recognition program for 2017 and beyond as part of current</p>

term contract negotiations. CFPB will continue to conduct annual statistical analysis for each subsequent program year and will work with Division and Office leaders to identify potential award distribution inequities and identify corrective action as needed.

Report of accomplishments and modifications to objectives

CFPB has been working since FY 2014 on implementation of an official Awards and Recognition policy. In FY 2016, NTEU and the Bureau negotiated and reached agreement on an Awards and Recognition Program for the remainder of 2016.

The Article was implemented in FY 2016. Before implementation, the Bureau ensured appropriate efforts were in place to assess the potential effect of the awards by demographic group and protected status. During the program rollout for FY 2016, OHC trained all Bureau officials responsible for implementing the program on how to recognize and prevent unconscious bias in awards.

The information found in Tables 42-47 of this Report reflects only a subset of program data. The program year for CFPB's awards program spans fiscal years. The tables reflect only two (2) out of five (5) award types, as these were the only awards paid by CFPB by September 30, 2016. These tables do not reflect insights into the effects of combining time-off awards with monetary awards; an important program feature. Therefore this data set alone does not constitute a whole or sufficient basis for meaningful analysis.

However, as of December 2016, CFPB had conducted a thorough statistical analysis of the full implementation of 4 out of 5 award types – Spot Awards, Time-Off Awards, Team Achievement Awards, and Superior Achievement Awards. (The 5th award type is currently being designed and planned for implementation in calendar year 2017.) The statistical analysis considered monetary award distribution by race/ethnicity; gender; age; supervisor status; bargaining unit status; grade; and veteran status. CFPB examined this data for triggers by reviewing participation comparisons for groups that were of sufficient sample size; male/female; white/all other races and national origin; and under 40 years of age/40 years of age and over. CFPB considered both the quantity of awards and the monetary value of awards and found no triggers requiring additional analysis. That said, in a desire for comprehensive review, the Bureau

examined other program elements, compared to benchmarks, and also conducted “lessons learned” meetings with key program stakeholders. CFPB concluded that oversight procedures put in place for the program (including training) represent strenuous safeguards against bias or unfairness in program implementation. The Bureau has found no barriers to participation in the Awards program.

These findings were shared with senior leaders of each Division and the OCR and OMWI office leaders. OHC has shared appropriate award analysis data with Division and Office leaders. A briefing of NTEU is pending scheduling in early calendar 2017.

NTEU and Bureau management will negotiate the Awards and Recognition program for 2017 and beyond as part of current term contract negotiations. Adjustments to the program will be made if/as any potential disparities by demographic group or other protected status is identified.

OHC will conduct similar analysis after the conclusion of each program year (each of which will span two fiscal years) and revisit its review of policy, procedure, and practices. OHC will continue to work with Division and Office leaders to ensure fair award distributions and identify and implement corrective action as needed. CFPB will strive to conduct a triennial program evaluation, looking back across 2016, 2017, and 2018, programs (ending in 2019), including measures of customer satisfaction and program compliance, pending budget and resources in 2020.

TABLE 50: EEOC PART H-3

EEOC Form 715-01 Part H-3		U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
Consumer Financial Protection Bureau		FY 2016
Statement of model program essential element deficiency		Data for certain required workforce profile tables (specifically Tables A11 and A12) needs to be collected, analyzed, and integrated into barrier analyses and submissions for annual MD-715 reporting.
Objective		CFPB will take all steps necessary to gather relevant data for barrier analysis and reporting purposes.
Responsible official		OCR Director, OHC Director
Date objective initiative		FY 2016

Target date for completion of objective	September 30, 2017
Planned activities toward completion of objective	CFPB has worked with the Department of the Treasury/Bureau of the Fiscal Service to ensure that all required data is collected. CFPB will be analyzing all relevant data to identify triggers and potential barriers.

Report of accomplishments and modifications to objectives

The EEOC in a technical assistance letter dated June 24, 2016, noted that CFPB had not yet begun collecting all data necessary for performing certain trigger and barrier analysis. The EEOC noted that CFPB did not collect data tables A11 and A12, which contain applicant flow data for senior level position (SLP) promotions and the SLP career development program because CFPB was not yet using USAJobs.gov for hiring executive-level positions. The EEOC also stated that data for tables A11 and A12 would have shown the recruitment and selection of Black males and females for promotions and career development opportunities in the senior grade levels. Further, EEOC stated:

Given that CFPB is a new agency that opened in July 2011 and its Office of Civil Rights opened in February 2013, we recognize that the agency will encounter some EEO program deficiencies during the development of its workforce and infrastructure. Accordingly, we will continue to provide assistance to CFPB during its efforts to correct any identified deficiencies. However, as we noted . . . CFPB does not yet collect all of the workforce data, including all applicant flow data, which is necessary in order to conduct barrier analysis. In Part H of its next MD-715 report, we expect CFPB to show meaningful progress toward capturing all the required workforce data. We look forward to reviewing CFPB's progress in this area in future MD-715 reports.

During FY 2016, the Bureau's Office of Human Capital (OHC) was able to produce most of the required MD-715 reports on applicants and existing employees. However, a notable amount of time was spent manually compiling data required to produce some of the MD-715 tables, specifically those representing applicant data. Pre-configured reports are available in the systems of record that house the Bureau's applicant data and employee data. The Department of the Treasury (Bureau of the Fiscal Service), CFPB's

shared service provider, offers the MD-715 reports through Workforce Analytics and Monster Analytics for employee and applicant data, respectively.

There were five sets of MD-715 FY 2015 reports representing applicant data and one MD-715 FY 2015 report representing workforce data that were either not available or required manual adjustments: B7, A11/B11, A12/B12, and A10.

- The A11 & B11 (Internal Selections for Senior Level Positions – GS-13, 14, 15 & SES) reports were not provided for FY 2015 as internal selections could not be tracked through Monster Analytics. As a follow-up, OHC worked with Treasury to have an indicator turned on at the USAJobs level to designate merit promotions for CFPB-only positions. This will identify those announcements from March 2016 – September 2016. OHC also manually identified CFPB-only announcements from October 2015 – March 2016 for FY 2016 reporting. This helped ensure that OHC could provide these reports for FY 2016. FY 2017 reporting will be available through the pre-configured reports in Monster Analytics.
- The A12 & B12 (Participation in Career Development) reports were not provided for FY 2015 or FY 2016. OHC was not able to report on that data as the Bureau does not have any career development programs at this time.
- The B7 (Applicants and Hires for Major Occupations) report was manually created for FY 2016 reporting to only include CFPB's four mission-critical occupations, filtering by occupational series. Monster Analytics did not allow the filtering in the pre-configured report by occupational series.
- There was one MD-715 FY 2015 report containing data on existing employees that required manual adjustments: A10. The A10 (Non-competitive promotions – Time in Grade) report for existing employees was fixed for FY 2016 reporting. OHC identified an error in the pre-configured report available from the shared service provider, which has been addressed.

11. EEO plan to eliminate identified barriers

TABLE 51: EEOC PART I-1

EEOC Form 715-01 Part I-1	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
Consumer Financial Protection Bureau	FY 2016
<p>Statement of condition that was a trigger for a potential barrier:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>During FY 2015 and again in FY 2016, several ethnic and racial groups increased their workforce participation at a rate slower than CFPB's total workforce. Additionally, several ethnic and racial groups had participation rates lower than their respective relevant Civilian Labor Force ("CLF") rates.</p> <p>A review of workforce data tables revealed that in FY 2015, Hispanic Females, White Males, Asian Males and Females, Native Hawaiian/Other Pacific Islander Males and Females, and Two or More Race Males and Females had slower rates of increase than CFPB's total workforce. Data also revealed that in FY 2015, Females, Hispanic Males and Females, White Males and Females, Native Hawaiian/Other Pacific Islander Males, and American Indian/Alaska Native Males and Females had participation rates lower than their respective CLF rates.</p> <p>In FY 2016, a review of workforce data tables revealed that White Males and Females, Hispanic Males and Females, Native Hawaiian/Other Pacific Islander Males, American Indian/Alaska Native Males and Females and Males of two or more races had participation rates lower than the CLF rates. American Indian/Alaska Native Males and Females and Males of two or more races had a net change lower than the net change for the total workforce.</p>
<p>Barrier analysis:</p> <p>Provide a description of the steps taken and data analyzed to determine cause</p>	<p>CFPB analyzed Tables A1 and BI (Workforce) to compare the rates of increase for CFPB's workforce and each demographic group comprising the workforce. Additionally, CFPB</p>

EEOC Form 715-01 Part I-1**U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report**

of the condition.

compared each group's workforce participation rate to its corresponding CLF rate. In FY 2015, CFPB also did an internal audit of its hiring process for approximately 60% of the Bureau workforce (excluding Attorneys and Executives) using applicant flow data available from USAJobs.

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 barrier has been identified to date. Although CFPB complies with legal requirements related to hiring, some hiring procedures could be enhanced to further promote fairness in the hiring process.

Objective:

State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.

OCR, OMWI, and OHC are currently working together to better understand and appropriately address, as necessary, the data results, and will apprise EEOC of progress. In the interim, the Bureau has implemented "blinding" of resume/application data for certain positions at either the "minimum qualification" or "2nd hurdle assessment" phases of the hiring process. CFPB will evaluate the impact of this new practice at an appropriate time when sufficient data is available to allow meaningful analysis and conclusions.

Responsible official:

OCR, OMWI, OHC

Date objective initiated:

December 2015

Target date for completion of objective:

September 30, 2017

Planned activities toward completion of objective:

OCR, OMWI, and OHC presented suggestions to the EAC on recommended changes to the hiring process.

January through December 2016

OCR, OMWI, and OHC will present recommendations to the Executive Committee and to the CFPB Director.

May 2017

CFPB will begin to implement approved recommendations to the hiring process on a short-term, mid-term, and long-term basis.

May 2017

CFPB will re-analyze applicant flow data to determine if any implemented changes have had a positive impact on

January 2018

the hiring process.

Report of accomplishments and modifications to objective

After conducting the data analysis, OCR, OMWI, and OHC collaborated to conduct best practice research, reinforce use of existing practices and tools that promote equity and fairness, and identify additional hiring process improvements that could be taken.

OHC has already begun considering options and implementing changes using tools it already has at its disposal that did not require the implementation of new policies, including: enhancing structured interview, phone screening, and reference check tracking and guides; creating a standardized structured interview question database, including standard D&I competency questions; creating a library of standardized benchmarks used to evaluate qualifications based on CFPB's competency model (which has gone through an extensive multi-year validation process); and creating new tools and resources to help applicants better understand the hiring process and how to navigate it.

Relatedly, in its June 24, 2016, technical assistance letter, the EEOC "request[ed] that CFPB provide an update on its use of a blind selection process for SLS vacancies, which EEOC considers a best practice." CFPB is now "blinding" resume/application data for certain positions at either the "minimum qualification" or "2nd hurdle assessment" phase of the hiring process. The minimum qualifications and 2nd hurdle assessment process are completed before a "final certificate" is issued to a hiring manager. For positions to which this technique applies, standard operating procedures now require that data that could potentially identify a specific individual (including applicant name, address, SSN, email address, phone number, disability information, and Veterans status) be redacted from resumes and other application materials. An applicant number (received from the Bureau's Career Connector system) replaces this information on applicant documents. The process is completed by authorized personnel who have been trained on appropriate redaction techniques. Acceptable redaction techniques include manual redaction (black redaction on the physical document) and/or electronic redaction using an approved redaction technology system. OHC HR specialists conduct a spot check review prior to providing the documents to the relevant subject matter experts performing the minimum qualification reviews and 2nd hurdle assessments.

CFPB will evaluate the impact of this new practice at an appropriate time when sufficient data is available to allow meaningful analysis and conclusions.

After getting feedback from Bureau leadership, OCR, OMWI, and OHC will develop additional recommendations to the Director for approval. After measures are in place and used for a period of time where data can be gathered that is sufficient for meaningful analysis, the Bureau will again conduct a follow-up applicant flow analysis to assess the impact of these measures on the hiring process.

TABLE 52: EEOC PART I-2

EEOC Form 715-01 Part I-2	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
Consumer Financial Protection Bureau	FY 2016
<p>Statement of condition that was a trigger for a potential barrier:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>During FY 2016, Individuals with Targeted Disabilities (“IWTD”) participated in CFPB’s workforce at a rate lower than the Federal goal of 2%. However, from FY2015 to FY2016 CFPB’s total workforce increased, as did the number of IWTD in the total workforce – and at a rate much higher than the rate of increase of the workforce (7.31% for the total workforce v. 46.15% for IWTD). A review of workforce data tables revealed that there were 19 IWTDs (1.16%) during FY2016 and 13 (.85%) IWTDs during FY2015.</p> <p>When only the permanent workforce is analyzed, the rate of IWTD in FY 2016 is still 19 individuals, or 1.27%.</p>
<p>Barrier analysis:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>In FY 2016, no IWTD separated from the workforce.</p> <p>CFPB analyzed Table BI (Workforce) to compare the rates of increase for CFPB’s workforce and IWTDs. CFPB also compared the rate of IWTDs to the 2% Federal goal. Additionally, CFPB analyzed Table B14 to compare IWTD rate of separation to their workforce participation.</p> <p>Critically, CFPB also completed and analyzed a trigger table provided by the EEOC to evaluate potential barriers for IWTD. (The completed table is available upon request.) A review of this trigger table revealed that in the CFPB’s permanent workforce, the percentage of IWTD was lower than the percentage of individuals without targeted disabilities in the following categories: (1) supervisors and managers at the</p>

CN-71 and above (GS-15 and above) and CN-53/60 (GS-13/14); (2) CN-60 (GS-14) employees; (3) CN-71 (GS-15) employees; (4) Economists (0110); and (5) Examiners (0570).

Lastly, CFPB reviewed CFPB's diversity recruitment initiatives to evaluate the Agency's efforts to identify qualified IWTDS.

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 barrier has been found at this time.

Objective:

State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.

Increase efforts to collect data beyond statistics (such as anecdotal evidence, survey results, etc.) to determine if a barrier exists.

Responsible official:

OCR, OHC, OMWI

Date objective initiated:

January 2016

Target date for completion of objective:

September 30, 2017

Planned activities toward completion of objective:

TARGET DATE
September 30, 2017

Develop and implement a plan for recruiting IWTDS

September 30, 2017

Evaluate reasonable accommodation and training programs and create retention strategies for IWTDS

September 30, 2017

Evaluate and implement relevant portions of the EEOC's new Section 501 regulations on affirmative action for individuals with disabilities and targeted disabilities.

September 30, 2017

Report of accomplishments and modifications to objective

The CFPB has proudly supported the efforts of Executive Order 13548 to increase the Federal employment of individuals with disabilities and is an equal opportunity employer in compliance with applicable federal law. To achieve the goals set forth in Executive Order 13548, the CFPB,

to the extent permitted by law, works to increase recruitment, hiring, and retention of individuals with disabilities in employment and other job-related programs. CFPB will continue and enhance these efforts in light of and in compliance with the EEOC's newly released Section 501 affirmative action regulations.

In recognition of the Bureau's efforts in this area, in January 2016, CFPB was ranked amongst the "Top 20 Government Employers" in *Careers & the disABLED Magazine* amongst the agencies who provide a positive working environment for people with disabilities. In fact, CFPB was ranked as #13, and was the only federal financial regulatory agency (FIRREA agency) ranked on the list.

The CFPB supports federal employment of individuals with disabilities through the following strategic activities:

- *Outreach and Recruitment.* The Bureau continues to establish and maintain relationships with, and outreach to, professional organizations that represent individuals with disabilities. Through attending various career fairs and through community outreach efforts, the Bureau encourages individuals with disabilities to apply under the Schedule A Hiring Authority to open positions at the CFPB. For example, the Bureau attended various recruitment events specifically focusing on individuals with targeted disabilities, including the *Careers & the disABLED* magazine Career Expo for people with disabilities on 11/13/2015.

As discussed in greater detail below, hiring managers are informed that eligible and qualified Schedule A candidates can be quickly hired non-competitively using the Schedule A Hiring Authority. Along with the continued socialization of the advantages of the Schedule A Hiring Authority, the CFPB continues to explore how to best leverage the Workplace Recruitment Program (WRP) through the Department of Labor. The WRP is a recruitment and referral program that connects federal and private sector employers nationwide with highly motivated college students and recent graduates with disabilities who are eager to prove their abilities in the workplace through summer or permanent jobs. In FY2016, the CFPB leveraged applicant submissions under DOL's WRP and OPM's Bender list (as well as used Schedule A) to source candidates that represented individuals with disabilities in the workforce. Critically, the CFPB has drafted a policy and procedures related to standardizing how to best leverage the Schedule A Hiring authority to meet our disability hiring targets.

CFPB's Director, Richard Cordray, is also committed to targeting recruitment for individuals with disabilities. For example, in October 2015, the Director announced to all employees that the Bureau intends to work with the Federal Communications Commission to learn more about their initiative to increase the hiring of individuals with intellectual disabilities. The Bureau's Chief Human Capital Officer has already reached out to FCC about this potentially valuable partnership.

- *Hiring.* The CFPB continues to actively hire a diverse pool of talent to carry out the Bureau's mission. The Bureau's ongoing goal is to increase the number of individuals with disabilities overall, and to increase the individuals with targeted disabilities to 2.0%, which is in line with the goals set forth in Executive Order 13548, the LEAD initiative started by former EEOC Vice Chair Chris Griffin, and EEOC's recently finalized rule under Section 501 of the Rehabilitation Act. In a technical assistance letter dated June 24, 2016, the Equal Employment Opportunity Commission stated: "We are pleased to note that in FY 2015, CFPB implemented a recruitment and outreach plan for individuals with targeted disability and it has established a goal of 2% to hire and retain individuals with targeted disability."

While CFPB increased its number of individuals with disabilities and individuals with targeted disabilities during FY 2016, CFPB did not meet the goal of 2.0% for individuals with targeted disabilities. In FY 2016, individuals with targeted disabilities represented 1.16% of the total workforce (compared with 0.85% of the total workforce in FY 2015) in accordance with the coding that the EEOC uses for targeted disabilities. Further, 8.75% of the workforce voluntarily identified as having a disability as of the end of FY 2016 (compared with 8.68% as of the end of FY 2015). Additionally, in FY 2016, 2.27% of new permanent hires had targeted disabilities (5 individuals), and 8.70% of new permanent hires voluntarily identified as having a disability (16 individuals).

The Bureau has not specifically set aside any positions in any fiscal year for Schedule A appointments; however, hiring managers are encouraged by OHC, OCR, and OMWI to consider and use the Schedule A hiring authority to fill vacancies. As noted in greater detail below, the Bureau circulates communications to hiring managers to highlight Schedule A appointments as a valuable hiring resource. In addition, during the State of the Agency briefing for the MD-715 FY15 report, the Director of OCR provided the Executive Committee (i.e., senior leadership including the Director, Deputy Director, all Associates Directors, the Chief of Staff, and the Deputy Chief of Staff) with materials

related to Schedule A including *The ABCs of Schedule A for the Hiring Manager*, a list of targeted disabilities, information on how to access the relevant intranet content, and a point of contact in OHC to provide assistance to their management teams.

Further, the Bureau has robust recruitment activities to recruit disabled veterans, which should help the Bureau achieve its overall goal to have 2.0% of its workforce be individuals with targeted disabilities.

All Schedule A appointees at the Bureau who have worked two years or more have been converted to the competitive service. Hiring managers are encouraged by OHC, OCR, and OMWI to consider and use the Schedule A hiring authority to fill vacancies. The Equal Employment Opportunity Commission, in a technical assistance letter dated June 24, 2016, stated: “We are pleased to note that CFPB stated in its response to our RFI that the agency regularly converts its Schedule A appointees to competitive status after two years of satisfactory performance. We urge CFPB to continue to ensure that its Schedule A employees are timely converted to the competitive service.”

Retention. Training and mentoring is important in the career development and retention of current employees with targeted disabilities; CFPB launched a pilot mentoring bank program in FY 2015 that was successful and could be expanded in the future.

- *Internal Communications & Education.* Schedule A training for all recruitment officials is readily available and taken. OHC, OCR, and OMWI personnel are knowledgeable about this flexibility. A recruitment toolkit for recruiting ambassadors outside of OHC, OCR, and OMWI is available on the intranet and a PowerPoint presentation is provided to recruiters. The guide advises that before any recruiting event, the recruiters must understand the federal hiring rules, including special hiring authorities. Information about the Schedule A hiring authority for people with disabilities is included and always readily available to recruiters in the following resources:
 - Recruiting Ambassadors Toolkit that is available to all on the intranet;
 - Federal Hiring Authorities page that is available to all on the intranet;
 - CFPB’s Hiring, Promotion, and Internal Personnel Movements Policy;
 - CFPB Hiring Manager’s Guide that is available to all managers on the intranet; and
 - A stand-alone intranet page explaining the Schedule A hiring authority, which

contains links to information about the Schedule A authority from EEOC, the Office of Personnel Management (OPM), and the Office of Disability Employment Policy (ODEP) at the Department of Labor.

Additional information is periodically circulated as reminders that the Schedule A hiring authority is available and managers – who also may serve as recruiters – are encouraged to use it as a tool that can both enhance the diversity of the CFPB workforce and speed the hiring process. For example, the Schedule A flexibility was highlighted in the October 7, 2015, edition of the Bureau’s communications vehicle targeted at supervisors (the “Manager Minute”).

Further, management officials and recruitment officials also have other frequent training and educational opportunities on numerous disability-related employment topics, including Schedule A. For example, in October 2015, for National Disability Employment Awareness Month, the Bureau circulated disability etiquette tips to all employees, and a video to help dispel employment myths related to persons with disabilities. Each year (including in FY 2016), the Bureau also sends out notices via electronic newsletters and on employee paystubs about important disability-related programs and milestones (including reminders about the anniversaries of the passage of the Rehabilitation Act of 1973 and the Americans with Disabilities Act). In early November 2015, also in celebration of National Employment Awareness Disability Month, OCR coordinated a panel discussion (moderated by the Director of OCR) comprising employees with disabilities sharing their stories, and highlighted Schedule A hiring flexibility.

Finally, OCR is exploring the possibility of implementing an annual mandatory 8-hour EEO refresher curriculum for supervisors and managers, which would include training options on Schedule A and other disability topics. (All managers must complete 16-hours of initial EEO training, which is offered through the EEOC Training Institute, and have numerous other opportunities for additional learning.)

- *Cross-Divisional Collaboration.* The Bureau’s OCR has convened a working group of various internal champions for disability-related issues. This forum allows persons to raise issues, share information, and brainstorm strategies to create positive change at CFPB. The purpose of the group is to set priorities for safeguarding and promoting the rights of applicants, employees, contractors, and consumers with disabilities in all Bureau activities. The group is exploring better ways to recruit and retain workers with

disabilities, enhance reasonable-accommodations provided to workers and consumers who contact the Bureau with financial complaints, educate managers and supervisors on disability topics, including Schedule A, and enhance data collection efforts (among other priorities). The steering and working groups consist of thought leaders from major CFPB segments, including OCR, OMWI, OHC, the CFPB Ombudsman's Office,²⁷ the Bureau's Office of Consumer Response, the Legal Division, and others. Members include experts on the employment provisions of the Americans with Disabilities Act and Section 501 of the Rehabilitation Act, on Sections 504 and 508 of the Rehabilitation Act, and on recruitment, retention, and compensation policy issues.

- **Resources.** A Disability Program Manager (DPM) could assist in the above efforts, and the Bureau intends to hire a DPM as feasible. In the meantime, CFPB will work to leverage existing resources to further disability hiring and retention efforts.

TABLE 53: EEOC PART I-3

EEOC Form 715-01 Part I-3	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
Consumer Financial Protection Bureau	FY 2016
Statement of condition that was a trigger for a potential barrier:	During FY 2015 and again during FY 2016, analysis revealed that various demographic groups participated in Major Occupations 0301 (Misc. Administration), 0570 (Examiner), 0110 (Economist), and 0905 (Attorney) at rates lower than their CLF rates.
Provide a brief narrative describing the condition at issue.	A review of workforce data tables revealed that as of the end of FY 2016, the following groups participated at rates lower than their CLF rates in Major Occupation 0301: Females, White Females, Hispanic Males and Females, American Indian/Alaska Native Females, and Males of two or more races.
How was the condition recognized as a potential barrier?	

²⁷ The CFPB Ombudsman's Office is an independent, impartial, and confidential resource and, as such, is an *ex officio* member of this group.

The following groups participated at rates lower than their CLF rates in Major Occupation 0570: Females, White Males and Females, Black Females, Hispanic Females, Asian Females, American Indian/Alaska Native Females, and Males of two or more races.

The following groups participated at rates lower than their CLF rates in Major Occupation 0110: Females, White Males, Hispanic Females, Asian Males, Native Hawaiian/Other Pacific Islander Females, American Indian/Alaska Native Males and Females, and Males of two or more races.

Lastly, White Males and Hispanic Males participated at rates lower than their CLF rates in Major Occupation 0905.

Barrier analysis:

Provide a description of the steps taken and data analyzed to determine cause of the condition.

CFPB analyzed Tables A6 and B6 (Major Occupations) to compare each demographic group's participation in each of CFPB's Major Occupations to their respective CLF rates. CFPB also reviewed Tables A7 & B7 (Applicants and Hires for Major Occupations) to analyze the number of qualified applicants for the agency's Major Occupation identified for each group.

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 barrier has been identified to date. We will continue to analyze the data and conduct additional in depth analyses into other gathered information to identify whether a barrier exists. This analysis will include review of whether hiring processes discussed in Part I-1 also affect these participation rates.

Objective:

State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.

CFPB will continue to monitor the participation rates for the identified groups. CFPB will also review its recruitment and retention programs to increase representation of the relevant groups.

Responsible official:

OCR, OMWI, OHC

Date objective initiated:

December 2015

Target date for completion of objective:

September 30, 2017

Planned activities toward completion of objective:

TARGET DATE
(Must be specific)

EEOC Form 715-01 Part I-3	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
CFPB will conduct additional review of the job description, qualification criteria, and hiring practices to ensure selection requirements and procedures are job related and consistent with business necessity.	September 30, 2017
CFPB will continue to analyze applicant data and monitor applicant rates, qualification rates, and selection rates.	September 30, 2017
CFPB will review the selection process regularly to ensure equal treatment.	September 30, 2017
OEOF will be consulted on selection panel participants.	September 30, 2017
CFPB will continue its targeted outreach efforts.	September 30, 2017

Report of accomplishments and modifications to objective

See Part I-1 for an in-depth description of the Bureau's plan to review its hiring process, which may or may not have an impact on this issue.

TABLE 54: EEOC PART I-4

EEOC Form 715-01 Part I-4	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report
Consumer Financial Protection Bureau	FY 2016
Statement of condition that was a trigger for a potential barrier:	During FY 2015 and again during FY 2016, various demographic groups participated in senior level positions and Pay Bands 53 to 71 (GS-13 to GS-15 equivalent at CFPB) at rates lower than their participation in CFPB's workforce.
Provide a brief narrative describing the condition at issue.	A review of workforce data tables revealed that as of the end of FY 2016, White Females, Black Males and Females, Hispanic Males and Females, Asian Males and Females, Native Hawaiian/Other Pacific Islander Males and Females, American Indian/Alaska Native Males and Females, and Males and Females of two or more races participated in one or more of the Pay Bands CN-53 to CN-71 at rates lower than their participation in CFPB's workforce. Similarly, as of the
How was the condition recognized as a potential barrier?	

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end of FY 2016, White Males, Black Males and Females, Hispanic Females, Asian Females, Native Hawaiian/Other Pacific Islander Males and Females, American Indian/Alaska Native Males and Females, and Males and Females of two or more races participated in Executive positions at rates lower than their participation in CFPB's total workforce.

CFPB analyzed A4-1, A4-2, B4-1 and B4-2 (Grade Level Distributions) to compare each group's participation in high level grade levels to their respective participation in CFPB's workforce.

Barrier analysis:

Provide a description of the steps taken and data analyzed to determine cause of the condition.

The analysis conducted to date has not identified a cause for the potential barrier. The Bureau will continue to analyze that and other data and additional in depth analyses into other gathered information to identify whether a barrier exists. This analysis will include review of whether hiring processes discussed in Part I-1 also affect these participation rates.

CFPB has hired an expert consultant to assist with this barrier analysis and with implementation of recommendations provided by the EEOC in June 2016 on this issue. Due to procurement delays, work by the contractor and the Bureau on this barrier analysis did not begin until December 2016. CFPB will keep EEOC informed on progress of these efforts.

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.

Analysis has not yet revealed any discriminatory policies, practices, or procedures that have created a barrier.

Objective:

State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.

CFPB will continue to monitor and examine its employment and promotion policies or procedures to determine whether any barriers to demographic groups – particularly African Americans males and females – exist.

Responsible official:

OCR, OMWI, OHC

Date objective initiated:

December 2015

Target date for completion of objective:

September 30, 2017

EEOC Form 715-01 Part I-4		U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report	
Planned activities toward completion of objective:		TARGET DATE (Must be specific)	
CFPB will continue to examine its promotion practices and address any problematic observations.		September 30, 2017	
CFPB will review surveys to assess whether any information contained in the results could help explain the cause of the low participation among certain groups in higher-banded positions.		September 30, 2017	

Report of accomplishments and modifications to objective

In its FY 2015 Program Status (MD-715) report, the Bureau identified underrepresentation of various demographic groups in Senior Level Positions. During FY 2016, the Equal Employment Opportunity Commission provided technical assistance to the CFPB in evaluating possible related barriers to the advancement of Black males and females specifically. Specifically, in a technical assistance letter dated June 24, 2016, the EEOC recommended that the Bureau:

look for possible connections between the triggers in its workforce statistics and any policies, procedures, or practices that might be causing those discrepancies. In particular, we suggest that CFPB implement the following planned activities: (1) identify the typical background and experience of individuals selected to the SLP and other senior pay positions; (2) review the qualifications of Black males and females seeking career advancement; (3) examine the recruitment of Black males and females into the senior grade levels and management positions; (4) investigate every phase of the merit promotion process for the senior grade positions; (5) interview employees from the human resources office about their screening process; (6) meet with members of the interview panel about their process of identifying best-qualified applicants and their interview questions; (7) compare the qualifications of Black male and female applicants to the selectees' qualifications; (8) review the various voting stages for disapproval of Black males and female candidates; (9) conduct a longitudinal review of applicant flow statistics found in tables A7, A9, and A11; (10) review the participation of Black males and females by grade level in the occupations with upward mobility; and (11) meet with selecting officials to examine their experiences in the hiring

process and to discuss their perception of Black candidates.

The Bureau procured an expert consultant to help it carry out these recommendations. Due to procurement delays, CFPB did not begin working with the consultant until December 2016. However, CFPB will update the EEOC on its progress.

See Part I-1 for an in-depth description of the Bureau's plan to review its hiring process, which may or may not have an impact on this issue.

12. Special program plan for the recruitment, hiring, and advancement of individuals with targeted disabilities

TABLE 55: EEOC FORM 715-01 PART J, SPECIAL PROGRAM PLAN FOR THE RECRUITMENT, HIRING, AND ADVANCEMENT OF INDIVIDUALS WITH TARGETED DISABILITIES – PART I DEPARTMENT OR AGENCY INFORMATION

Agency and Subcomponent Labels	Agency and Subcomponent Information
1. Agency	1. Consumer Financial Protection Bureau
1.a. 2 nd Level Component	1.a. Not applicable
1.b. 3 rd Level or lower	1.b. Not applicable

TABLE 56: EEOC FORM 715-01 PART J, SPECIAL PROGRAM PLAN FOR THE RECRUITMENT, HIRING, AND ADVANCEMENT OF INDIVIDUALS WITH TARGETED DISABILITIES – PART II EMPLOYMENT TREND AND SPECIAL RECRUITMENT FOR INDIVIDUALS WITH TARGETED DISABILITIES

	Beginning of FY 2016 #	Beginning of FY 2016 %	End of FY 2016 #	End of FY 2016 %	Net change #	Rate of change
Total Work Force	1,533	100.00%	1,645	100.00%	112	7.31%
Reportable Disability	133	8.68%	144	8.75%	11	8.27%

	Beginning of FY 2016 #	Beginning of FY 2016 %	End of FY 2016 #	End of FY 2016 %	Net change #	Rate of change
Targeted Disability ²⁸	13	0.85%	19	1.16%	6	46.15%

TABLE 57: NUMBER OF APPLICANTS AND SELECTIONS OF PERSONS WITH TARGETED DISABILITIES

Targeted Disability Applicant and Selection Labels	Targeted Disability Applicant And Selection Data for CFPB
1. Total Number of Applications Received From Persons With Targeted Disabilities during the reporting period.	81
2. Total Number of Selections of Individuals with Targeted Disabilities during the reporting period.	0

TABLE 58: EEOC FORM 715-01 PART J, PART III PARTICIPATION RATES IN AGENCY EMPLOYMENT PROGRAMS

Other Employment/Pers onnel Programs	Total	Report able Disabil ity #	Reporta ble Disabilit y %	Targete d Disabili ty #	Targete d Disabili ty %	Not Identifi ed #	Not Identifi ed %	No Disabili ty #	No Disabili ty %
3. Competitive Promotions	91	3	3.30%	1	1.10%	67	73.63%	21	23.08%
4. Non-Competitive Promotions	341	35	10.26%	1	0.29%	9	2.64%	297	87.10%
5. Employee Career Development Programs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5.a. CN 31-52 (GS 5-12 equivalent)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5.b. CN 53-60 (GS 13-14 equivalent)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5.c. CN 71-90 (GS 15/SES equivalent)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6. Employee	488	45	9.22%	6	1.23%	6	1.23%	437	89.55%

²⁸ If the rate of change for persons with targeted disabilities is not equal to or greater than the rate of change for the total workforce, a barrier analysis should be conducted (see below).

Other Employment/Pers onnel Programs	Total	Report able Disabil ity #	Reporta ble Disabilit y %	Targete d Disabili ty #	Targete d Disabili ty %	Not Identifi ed #	Not Identifi ed %	No Disabili ty #	No Disabili ty %
Recognition and Awards ²⁹									
6.a. Time-Off Awards (Total hrs awarded)	3,064 hours	248 hours	8.09%	56 hours	1.83%	24 hours	0.78%	2,792 hours	91.12%
6.b. Cash Awards (total \$\$\$ awarded)	\$132, 475	\$12,40 0	9.36%	\$1,600	1.21%	\$2,000	1.51%	\$118,07 5	89.13%
6.c. Quality-Step Increase	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

EEOC Form 715-01 Part J Part IV Identification and Elimination of Barriers

Agencies with 1,000 or more permanent employees **MUST** conduct a barrier analysis to address any barriers to increasing employment opportunities for employees and applicants with targeted disabilities using FORM 715-01 PART I. Agencies should review their recruitment, hiring, career development, promotion, and retention of individuals with targeted disabilities in order to determine whether there are any barriers.

See Part I-2, which contains this barrier analysis.

EEOC Form 715-01 Part J, Part V Goals for Targeted Disabilities

Agencies with 1,000 or more permanent employees are to use the space provided below to describe the strategies and activities that will be undertaken during the coming fiscal year to maintain a special recruitment program for individuals with targeted disabilities and to establish specific goals for the employment and advancement of such individuals. For these purposes, targeted disabilities may be considered as a group. Agency goals should be set and accomplished in such a manner as will effect measurable progress from the preceding fiscal year. Agencies are encouraged to set a goal for the hiring of individuals with targeted disabilities that is at least as high as the anticipated losses from this group during the next reporting period,

²⁹ Employees may be recognized with a time-off award, cash award, or a combination. The time-off awards were processed with an 846 nature of action code and the cash awards were processed with an 887 nature of action code.

with the objective of avoiding a decrease in the total participation rate of employees with disabilities.

Goals, objectives and strategies described below should focus on internal as well as external sources of candidates and include discussions of activities undertaken to identify individuals with targeted disabilities who can be (1) hired; (2) placed in such a way as to improve possibilities for career development; and (3) advanced to a position at a higher level or with greater potential than the position currently occupied.

TABLE 59: GOAL FOR TARGETED DISABILITIES

Goal	CFPB adopts the federal government target goal of 2%
	In CFPB's most recent MD-715 annual report, the Agency had a goal to reach 2.0% representation by persons with targeted disabilities within the total workforce by the end of FY 2016. CFPB is recommitting to achievement of this goal (consistent with the EEOC's new Section 501 affirmative action regulations) and will continue to take steps to educate hiring managers about Schedule A flexibilities for onboarding persons with disabilities.
Objectives	During FY 2016, persons with targeted disabilities represented 1.16% of the total workforce. The Agency hired 304 new hires into the workforce, five of whom have a targeted disability (1.64% of all new hires), 19 of whom have a disability (6.26% of all new hires) and 280 without a disability (92.11% of all new hires). We note that 1.64% of new hires did not identify whether or not they have a disability. Of the permanent hires made, 2.72% had a targeted disability (5 out of 184 permanent new hires).
Strategies	Strategies for obtaining the 2% goal are outlined in EEOC Form 715-01 Part I-2, and will be enhanced and augmented per guidance from the EEOC on implementation of the new Section 501 affirmative action regulations.
Accomplishments	Accomplishments are outlined in EEOC Form 715-01 Part I-2.