

# Equal Employment Opportunity (EEO) program status report

Fiscal Year (FY) 2024



# Table of contents

<b>Table of contents.....</b>	<b>1</b>
<b>Overview .....</b>	<b>3</b>
<b>Part A – CFPB’s identifying information .....</b>	<b>4</b>
<b>Part B – Total employment .....</b>	<b>5</b>
<b>Part C – Leadership.....</b>	<b>6</b>
<b>Part D – List of subordinate components and mandatory documents.....</b>	<b>7</b>
<b>Part E – Executive summary .....</b>	<b>8</b>
E.1. Mission of CFPB & EEO Program .....	8
E.2 – E.7. The Six Essential Elements of a Model EEO Program: CFPB self- assessment and action items .....	13
E.8 Workforce analyses.....	27
E.9 Accomplishments.....	28
E.10 Planned Activities.....	29
<b>Part F – Certification of establishment of continuing EEO programs .....</b>	<b>31</b>
<b>Part G – EEO program self-assessment checklist .....</b>	<b>33</b>
<b>Part H – EEO plan to attain the essential elements of a model EEO         program .....</b>	<b>75</b>
H.1. Action Plan – Data Accuracy .....	75
H.2. Action Plan - ADR Participation Rate.....	78
H.3. Action Plan - Anti-Harassment Data .....	79
H.4. Action Plan – Organizational Chart.....	83

<b>Part I – EEO plan to eliminate identified barriers .....</b>	<b>85</b>
<b>Part J – Special program plan for the recruitment, hiring,           advancement, and retention of persons with disabilities .....</b>	<b>93</b>
<b>FY 2024 EEO and anti-harassment policy statement.....</b>	<b>94</b>
<b>FY 2024 Notice on the No FEAR Act and whistleblower protection           laws/prohibited personnel practices.....</b>	<b>95</b>

# Overview

This Equal Employment Opportunity (EEO) Program Status Report for Fiscal Year (FY) 2024<sup>1</sup> is prepared and submitted under Section 717 of the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-16, Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791, the U.S. Equal Employment Opportunity Commission’s (EEOC) regulations at 29 CFR Part 1614, and the EEOC’s Management Directive 715 (MD-715) and accompanying instructions and guidance (as updated).<sup>2</sup>

EEOC’s MD-715 requires Federal agencies to conduct a self-assessment on at least an annual basis to evaluate the effectiveness of their overall Equal Employment Opportunity program, using EEOC-prescribed compliance indicators and measures. MD-715 also requires agencies to identify any institutional, structural, attitudinal, and/or physical challenges that may operate to impede merit systems principles and equal employment opportunities, and to develop strategic plans to eliminate identified challenges.

This report reflects the results of the Consumer Financial Protection Bureau (CFPB or Bureau) MD-715 self-assessment for FY 2024. This report also highlights CFPB’s accomplishments in advancing EEO and identifies additional actions the CFPB began in FY 2024 and will continue to take in FY 2025 and beyond to enhance its overall EEO program.

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<sup>1</sup> October 1, 2023 through September 30, 2024.

<sup>2</sup> See EEOC Management Directive 715 (Oct. 1, 2003) (MD-715), *available at* <https://www.eeoc.gov/federal/directives/md715.cfm>; Instructions to Federal Agencies for EEO MD-715 (MD-715 Instructions), *available at* <https://www.eeoc.gov/federal/directives/md715/index.cfm>. Per EEOC’s federal-sector regulations at 29 C.F.R. Part 1614, MD-715 is binding on all Executive agencies (including CFPB). See 29 C.F.R. § 1614.103(b)(2) (“This part applies to . . . Executive agencies as defined in 5 U.S.C. 105 . . . .”); *see also* 29 C.F.R. § 1614.102(e) (“Agency [EEO] programs *shall* comply with this part and the Management Directives and Bulletins that the Commission issues.”) (emphasis added).

# Part A – CFPB’s identifying information

**TABLE 1:** AGENCY IDENTIFYING INFORMATION

Agency identifying information	
1. Agency	Consumer Financial Protection Bureau (CFPB)
2. Address	1700 G Street, NW
3. City, State, Zip code	Washington, D.C. 20552
4. Agency Code	FRFT
5. FIPS codes	11001, 06075, 17031, 36061, 13121

## Part B – Total employment

At the end of FY 2024,<sup>3</sup> the workforce encompassed 1,755 total employees. This included 1,603 employees on permanent appointments and 152 employees on temporary appointments.

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<sup>3</sup> Data as of September 30, 2024. Workforce numbers for FY 2023 included in this FY 2024 EEO Program Status Report may differ slightly from corresponding data reported in the FY 2023 EEO Program 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 2023 EEO Program Status Report.

# Part C – Leadership

**TABLE 2:** CFPB LEADERSHIP

CFPB Leadership	
Head of Agency	Russell Vought Acting Director Consumer Financial Protection Bureau
Agency Head Designee	Melissa S. Brand Director Office of Civil Rights Consumer Financial Protection Bureau

# Part D – List of subordinate components and mandatory documents

The CFPB's report includes employees located in the four regions – Midwest, Northeast, Southeast, and West.<sup>4</sup> The relevant FIPS codes are listed in Part A.

All mandatory documents are uploaded to the Equal Employment Opportunity Commission's (EEOC's) online portal called FedSEP. These include the CFPB's Strategic Plan FY 2022-FY 2026,<sup>5</sup> the CFPB's organizational chart,<sup>6</sup> the FY 2024 EEO and Anti-Harassment/Anti-Bullying Policy Statement,<sup>7</sup> Anti-Harassment/Anti-Bullying Policy and Related Procedures, Disability Reasonable Accommodation and Personal Assistance Services Policy,<sup>8</sup> and the Alternative Dispute Resolution Policy and Procedures.

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<sup>4</sup> The states that comprise each region can be found here: <https://www.consumerfinance.gov/about-us/the-bureau/bureau-structure/supervision-regional-directors/>.

<sup>5</sup> This five-year Agency-wide Strategic Plan is available at <https://www.consumerfinance.gov/about-us/budget-strategy/strategic-plan/>.

<sup>6</sup> The CFPB's organizational structure is available at <https://www.consumerfinance.gov/about-us/the-bureau/bureau-structure/>.

<sup>7</sup> The most recent statement is available at <https://www.consumerfinance.gov/office-civil-rights/eo-policy-and-reports/>.

<sup>8</sup> A copy of the policy is available at <https://www.consumerfinance.gov/office-civil-rights/reasonable-accommodation-persons-disabilities/>.



# Part E – Executive summary

Per MD-715 instructions,<sup>9</sup> the purpose of this Executive Summary is to inform all CFPB managers and supervisors of their responsibilities regarding the Agency's EEO program. This is to ensure their understanding of (1) the Agency's overall EEO program direction, and (2) the expected contributions necessary for the Agency to become a Model Employer. This Executive Summary also provides the EEOC and all CFPB employees with a quick and informative review of the CFPB's EEO program, including deficiencies that will be addressed during the upcoming fiscal year, and any challenges to EEO that have been identified.

Accordingly, and in compliance with EEOC's instructions, this Executive summary contains a brief narrative description of:

- the CFPB's mission and mission-related functions (Part E.1.);
- strengths (e.g., leading practices) and weaknesses (e.g., deficiencies) of the Agency's EEO Program when evaluated against each of the Six Essential Elements of a Model EEO Program (Parts E.2. – E.7.);
- activities undertaken in connection with the annual self-assessment and workforce analyses, including any challenges identified for elimination and program deficiencies that require correction and what has been accomplished from those activities (Parts E.8. and E.9.); and
- action items and plans to be implemented by the Agency during the upcoming year (Part E.10.).<sup>10</sup>

## E.1. Mission of CFPB & EEO Program

### Mission and Mission Related Functions

The Dodd-Frank Wall Street Reform and Consumer Protection Act (including the Consumer Financial Protection Act of 2010) (Dodd-Frank Act or DFA) created the CFPB to regulate the offering and provision of consumer financial products or services under the Federal consumer

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<sup>9</sup> See MD-715 Instructions, at III.E. (Reporting and Line by Line Instructions for Executive Summary).

<sup>10</sup> *Id.*

financial laws.<sup>11</sup> Under the Consumer Financial Protection Act, the CFPB “shall seek to implement and, where applicable, enforce Federal consumer financial law consistently for the purpose of ensuring that all consumers have access to markets for consumer financial products and services and that markets for consumer financial products and services are fair, transparent, and competitive.”<sup>12</sup>

## CFPB’s EEO program

In FY 2024, the Office of the Director includes a stand-alone Office of Civil Rights. The Office of Civil Rights (OCR) carries out functions statutorily required by Section 717 of Title VII of the Civil Rights Act of 1964 (and related EEO laws) and the EEOC’s federal-sector regulations at 29 C.F.R. Part 1614 (Part 1614),<sup>13</sup> as well as EEOC Management Directives 110 (MD-110) and MD-715.<sup>14</sup> OCR, the CFPB’s Equal Employment Opportunity (EEO) office, has operated since February 2013. OCR, as the CFPB’s EEO office, safeguards employment-related civil rights throughout the Agency. Given this legal mandate, OCR champions CFPB efforts to foster a fair workplace based on equal employment opportunities and merit systems principles – one where employment decisions are based on individual merit, and where everyone has an equal chance to succeed as far as their talents will take them.

Mission, Vision, and Values of CFPB’s OCR are:

- Mission: To support the CFPB in complying with civil rights laws and in applying best practices to achieve equal opportunity in the workplace.
- Vision: The CFPB serves as a model, fair, and discrimination-free workplace – with an engaged and empowered workforce energized to carry out CFPB leadership’s priorities.
- How OCR works: With independence, integrity, competence, collaboration, and a commitment to quality and excellence.

OCR works to integrate EEO into the CFPB’s everyday business by:

- Helping to de-escalate and resolve specific workplace conflicts and repair relationships,

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<sup>11</sup> See Pub. L. No. 111-203, at Title X, § 1011(a), 124 Stat. 1376, 1964 (July 21, 2010) (codified at 12 U.S.C. § 5491(a)).

<sup>12</sup> 124 Stat. 1980, § 1021(a) (codified at 12 U.S.C. § 5511(a)).

<sup>13</sup> See generally 42 U.S.C. § 2000e-16; Exec. Order No. 11478, 34 Fed. Reg. 12985 (Aug. 8, 1969), as amended; see also 29 C.F.R. Part 1614.

<sup>14</sup> See EEOC Management Directive 110 for 29 C.F.R. Part 1614 (Aug. 5, 2015) (MD-110), available at <https://www.eeoc.gov/federal/directives/md110.cfm>.

including through robust alternative dispute prevention and resolution;

- Proactively reviewing workforce data to ensure equal opportunity;
- Contributing subject-matter expertise to aid the CFPB pragmatically with strategic thinking, problem-solving, policy development, and workforce planning;
- Providing a neutral and fair forum (outside the CFPB’s Legal Division and Office of Human Capital (OHC)) for the discussion, investigation, adjudication, and resolution of EEO matters under Part 1614 and related Executive Orders; and
- Requiring CFPB to remedy violations of civil rights laws, including targeted steps to prevent repeat violations, recommending disciplinary action to hold individuals accountable, and making individual discrimination victims “whole” with appropriate damages.

The OCR Director is an Assistant Director of CFPB and reports directly to the CFPB Director on all issues related to the CFPB’s EEO Program, as statutorily required.<sup>15</sup> The CFPB’s organizational structure is available on the Agency’s public website.<sup>16</sup> The CFPB Director provides direction, feedback and coaching, as needed, to the OCR Director. Further, the CFPB Director is responsible for other CFPB supervisory functions, including serving as the final approving official for mid-year and annual performance evaluations for the OCR Director, assigning work to the OCR Director, and approving the OCR operating budget and staffing to effectively operate a model EEO program. The OCR Director acts with the greatest degree of independence and is the final decisionmaker over EEO complaint matters. The reporting structure of the OCR Director<sup>17</sup> was compliant with the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020<sup>18</sup> during FY 2024.

The OCR Director is firewalled from the Disability Accessibility Program Section (DAPS) and any involvement in disability reasonable accommodation requests. This mitigates actual and

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<sup>15</sup> OCR is led by the OCR Director who reports to the CFPB Director per 29 C.F.R. § 1614.102(b)(4) and the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020, Public Law 116-283.

<sup>16</sup> See <https://www.consumerfinance.gov/about-us/the-bureau/bureau-structure>.

<sup>17</sup> In September 2024, the Office of Civil Rights was made aware of Bureau Order 001-2023 that was signed by former Director Chopra on October 30, 2023, and indicated the “The Chief of Staff oversees and manages the activities of...the Office of Civil Rights.” On January 24, 2025, former Director Chopra amended the Bureau Order to clarify that the “Chief of Staff is responsible for supporting the Director in the Director’s supervision of OCR. The Chief of Staff’s role related to OCR is to be exercised consistent with section 403 of the Elijah E. Cummings Federal Employee Anti-Discrimination Act of 2020 (Public Law 116-283) and 29 CFR 1614.102(b)(4).”

<sup>18</sup> On January 1, 2021, Congress enacted the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020, Public Law 116-283, which is part of the National Defense Authorization Act (NDAA) for Fiscal Year 2021.

perceived conflicts between OCR and DAPS. OCR is similarly firewalled from OHC's Anti-Harassment and Anti-Bullying Program.

The OCR Director leads a team of professionals, including civil rights attorneys, non-attorney experts, dispute prevention and resolution practitioners, and data and administrative support specialists. The OCR team has significant subject matter expertise and extensive experience in employment civil rights laws, conflict management, investigative techniques, workforce data analyses, and federal-sector rules and processes. The EEOC itself has often pointed to OCR-created policies, reports, practices, and templates as models for the rest of the federal-sector EEO community.

To comply with Part 1614 and MD-715 requirements, OCR remains neutral and impartial, and (as required under EEOC regulations and guidance) safeguards its organizational autonomy. This helps to prevent institutional conflicts of interest that otherwise could arise, and to instill confidence in the integrity of the CFPB's EEO program. For example, the OCR Director exercises full authority to carry out OCR's Part 1614 functions without Legal Division (i.e., General Counsel) involvement. The Legal Division defends the CFPB in EEO matters, and therefore is firewalled from all activities within OCR. The Legal Division only participates during adversarial portions of the EEO process (hearings and appeals), during settlement negotiations (to include discussions occurring as a result of a request for mediation made through the CFPB's Alternative Dispute Resolution (ADR) Program), and/or to provide appropriate legal advice or assistance when a manager or supervisor requests it during the course of an EEO investigation (consistent with EEOC guidance and case law setting forth parameters for agency counsel involvement and professional responsibility rules governing attorney conduct).<sup>19</sup> Other CFPB offices (such as OHC) are similarly firewalled and kept separate as necessary and appropriate to avoid conflicting or competing interests.

OCR staff is solely responsible for conducting legal-sufficiency reviews of EEO matters.<sup>20</sup> Such reviews include, for example, preparing and issuing "Accept/Dismiss" legal determinations addressing jurisdiction over, and scope of, legal claims set forth in formal complaints;<sup>21</sup>

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<sup>19</sup> See, e.g., *Annalee D. v. Gen. Servs. Admin.*, EEOC Request No. 2019000778 (Nov. 27, 2019).

<sup>20</sup> Legal resources within OCR make this possible. The CFPB and OCR have adopted the EEOC's recommended best practice and OCR and the Legal Division signed an MOU to solidify the agreement. See EEOC Management Directive for 29 C.F.R. Part 1614 (rev. Aug. 5, 2015) (MD-110), Chapter 1, at Section IV.D., available at [https://www.eeoc.gov/federal/directives/md-110\\_chapter\\_1.cfm#\\_Toc425745116](https://www.eeoc.gov/federal/directives/md-110_chapter_1.cfm#_Toc425745116) ("It is important for the EEO Director to be provided with sufficient legal resources . . . so that the legal analyses necessary for reaching final agency decisions can be made within the autonomous EEO office. . . . The optimal situation is for the EEO office to have sufficient internal legal resources.").

<sup>21</sup> Under 29 C.F.R. Part 1614, the EEO process consists of two main parts – the "informal" or pre-complaint phase,

conducting an impartial and appropriate legal investigation of accepted formal complaints; conducting substantive reviews of the Reports of Investigations (ROIs) to ensure compliance with laws and regulations; and drafting of Final Agency Decisions (FADs) and Final Agency Orders (FAOs) determining whether a law has been violated (as required by 29 C.F.R. § 1614.110).

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and the “formal” complaint phase. Employees who wish to pursue an EEO matter under Part 1614 generally must complete the informal/pre-complaint stage before they may file a formal EEO complaint seeking redress for alleged workplace discrimination. The informal/pre-complaint stage consists of attempts to resolve the matter informally, typically through traditional “EEO counseling” or Alternative Dispute Resolution.

## E.2 – E.7. The Six Essential Elements of a Model EEO Program: CFPB self-assessment and action items

The CFPB’s Office of Civil Rights (OCR), in partnership with and through CFPB stakeholders, adheres to and promotes the Six Elements identified by EEOC and MD-715 as essential for a Model EEO Program under Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. § 2000e-16, and Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, 29 U.S.C. § 791 (as well as the Americans with Disabilities Act Amendments Act of 2008 (Pub. L. 110-325)). The Six Essential Elements are:

- A. Demonstrated commitment from Agency leadership;
- B. Integration of EEO into the Agency’s strategic mission;
- C. Management and program accountability;
- D. Proactive prevention of unlawful discrimination;
- E. Efficiency; and
- F. Responsiveness and legal compliance.<sup>22</sup>

During FY 2024, OCR performed an annual EEO program self-assessment using the EEOC’s revised “MD-715 2.0 Part G” checklist.<sup>23</sup> As required by MD-715 and related instructions, the CFPB reviewed its EEO and personnel programs, policies, and performance standards against all Six Essential Elements to identify where the Agency’s EEO program could become more effective. The Part G Self-Assessment Checklist “is a series of questions designed to provide federal agencies with an effective means for conducting the annual self-assessment required in Part F of MD-715” and “permits EEO Directors to recognize, and to highlight for their senior staff, deficiencies in their EEO program that the agency must address to comply with MD-715’s requirements.”<sup>24</sup> The Checklist contains 156 EEO program metrics for a model EEO program.

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<sup>22</sup> See MD-715, at Section II; *see also* MD-715 Instructions, at Section I (The Model EEO Program).

<sup>23</sup> This checklist is available at <https://www.eeoc.gov/federal/directives/md715/partg.cfm>. The CFPB’s completed FY 2024 Part G checklist has been uploaded to the EEOC’s FedSEP portal.

<sup>24</sup> See MD-715 Part G, at Intro.

## E.2 Essential Element A: 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.<sup>25</sup> According to MD-715:

Agencies must translate equal opportunity into everyday 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.<sup>26</sup>

During FY 2024, CFPB leadership continued to demonstrate commitment to ensuring that the CFPB's talented staff have equal employment opportunities and are treated fairly and with respect. Notably:

- On September 30, 2024, former CFPB Director Rohit Chopra issued an Annual EEO and Anti-Harassment Policy Statement, as well as the Agency's Annual No FEAR Act/Whistleblower Protection Notice directly to all CFPB staff, with the No FEAR Act information and an updated Equal Employment Opportunity (EEO) & Non-Discrimination Policy.<sup>27</sup> The Director's Annual EEO and Anti-Harassment Policy Statement meets all requirements specified in the MD-715 instructions and the related Part G checklist.
- Throughout FY 2024, CFPB leadership enforced Agency-wide policies and procedures adopted to advance the CFPB's EEO program. Examples include the CFPB-NTEU Collective

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<sup>25</sup> This MD-715 mandate reinforces statutory requirements. *See* 42 U.S.C. § 2000e-16(e) (emphasizing the "primary responsibility" of agency heads "to assure nondiscrimination in employment as required by the Constitution and statutes" and his or her "responsibilities under Executive Order 11478 relating to equal employment opportunity in the Federal Government").

<sup>26</sup> *See* MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.A.

<sup>27</sup> The most recent copy of the EEO and Anti-Harassment Policy Statement and No FEAR Act/Whistleblower Protections Notice are linked at the end of this Report. Copies of the FY 2024 statements are uploaded in FedSEP to the EEOC.

Bargaining Agreement Equal Employment Opportunity Article, Alternative Dispute Resolution Policy, Equal Employment Opportunity and Non-Discrimination Policy, Anti-Harassment/Anti-Bullying Policy and Related Procedures, Disability Reasonable Accommodation/Personal Assistance Services Policy, Procedures, and Forms, etc. In FY 2024, the Disclosure of Covered Workplace Personal Relationships Policy, and the Alcohol Directive for Supervisors, Managers, and Executives were created and implemented.

- In February 2024, the CFPB released its FY 2024 Annual Performance Plan and Report, and Budget Overview, which reinforces and echoes the CFPB's unwavering leadership commitment to EEO.<sup>28</sup>
- In 2024, CFPB again gauged Bureau culture through an Annual Employee Survey (AES), as well as Exit surveys. CFPB's AES measures employee engagement and satisfaction throughout the CFPB and provides crucial insight on employee perceptions about fairness and equality at CFPB. During the survey administration period, former Director Chopra encouraged employees to complete the 2024 Annual Employee Survey (AES). He shared with staff that he uses the information to prioritize places the organization can improve.
- During FY 2024, the Disability and Accessibility Program reintroduced CFPB's 508 accessibility offerings as Information Technology Accessibility Program (ITAP), which included a new intranet page and new intake request form to request services for document accessibility, web and software accessibility, and accessibility trainings.

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<sup>28</sup> See CFPB's FY 2024 Annual Performance Plan and Report, and Budget Overview (Feb. 2023), at 38-47, available at [https://files.consumerfinance.gov/f/documents/cfpb\\_performance-plan-and-report\\_fy24.pdf](https://files.consumerfinance.gov/f/documents/cfpb_performance-plan-and-report_fy24.pdf).



### E.3. Essential Element B: Integration of EEO into agency's strategic mission

Management Directive 715 recognizes 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. As the instructions to the MD-715 explain:

To ensure that federal agencies achieve their goal of being a model workplace, all managers and employees must view EEO as an integral part of the agency's strategic mission. The success of an agency's EEO program ultimately depends on decisions made by individual managers. The EEO office serves as a resource to these managers by providing direction, guidance, and monitoring of key activities .... Further, the agency's EEO program should be organized and structured to maintain a workplace that is free from discrimination in any of its management policies, practices, or procedures and supports the agency's mission, as reflected in the strategic plan.<sup>29</sup>

In FY 2024, examples of how CFPB demonstrated this essential element include:

- The OCR Director reports to the CFPB Director as described in E.1.
- In September 2024, the OCR Director shared the "State of the Agency EEO Program" briefing based on the CFPB's FY 2023 EEO Program Status (MD-715) Report to EEOC with the Director and executives.
- CFPB allocated FY 2024 funding and qualified staffing to successfully implement the EEO program. In FY 2024, OCR maintained a standalone budget, separate from the budgets of other CFPB offices. OCR also had resources available through staff and external contract paralegals, counselors and investigators to ensure that allegations of unlawful discrimination in the workplace were processed properly under 29 C.F.R. Part 1614.
- Throughout FY 2024, OCR's Senior Advisor (EEO Data and Programs) reviewed and analyzed data from various sources to include EEO complaints, workforce demographics, applicant flow, reasonable accommodations, and harassment/bullying data. Data was gathered for the MD-715 and other statutorily required reports. Additionally, following the

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<sup>29</sup> See MD-715 Instructions, at Section I.II., Element B

completion of the EEO process, the OCR Director may issue an After Action Memo as a tool to provide recommendations to leaders on effective change that can be made where there may not be a legal violation but where OCR identified areas where improvements can be made to proactively prevent unlawful discrimination from happening in the future. The EEOC has highlighted the After-Action memos as a best practice.

- In FY 2024, the OCR Director and/or OCR's Senior Advisors served as mandatory reviewers on all CFPB policies as part of the new process outlined in the *Management of Internal Policies*. Additionally, many documents submitted as part of the Bureau's clearance process were reviewed by OCR.
- In FY 2024, OHC expanded a pilot program career development pilot program for administrative positions to a Bureau-wide offering for all permanent employees in CN-30 and CN-40, which was called CFPB Targeted Career Development Series.
- Throughout FY 2024, the OCR Director regularly met with CFPB's leaders to provide updates on the EEO program, enlist their support in promoting EEO principles agency-wide and providing guidance and technical assistance on EEO laws. The OCR Director or designated staff also attended regional all-staff meetings.
- The CFPB Supervisory Development Seminar (SDS), is a one-time three-day, mandatory training for all newly appointed CFPB supervisors at all levels (supervisors, managers, and senior leaders). OHC delivers this training twice each year. EEO content is woven into seminars on leading people, making the transition to supervisor, human resources technical knowledge, performance management, addressing performance problems and conduct issues, and the training includes a standalone seminar on EEO. Following completion of the three-day SDS, CFPB supervisors (all levels) complete a one-day SDS Refresher course every three years. Additionally, OHC's five-day CFPB Leadership Excellence Seminars (LES) series is conducted annually and includes EEO training. This one-time program is also mandatory for all newly appointed CFPB supervisors at all levels, following their completion of the three-day SDS program. Nearly all existing managers have completed both multi-day trainings.
- During FY 2024, OCR offered a one-day EEO training for new CFPB supervisors and managers. The training covered EEO laws, harassment, and retaliation, the EEO process, ADR, and reasonable and religious accommodations. It included many case scenarios to help solidify the breadth of material covered.

- Additionally, in FY 2024, the CFPB continued providing the annual mandatory No FEAR Act and harassment prevention training (required of all CFPB employees). These trainings, along with the ones listed above, ensure supervisors receive periodic training on the EEO process and principles, reasonable accommodations procedures, the CFPB's anti-harassment/anti-bullying policies and procedures, and the CFPB's ADR program.
- Throughout FY 2024, managers were required to cooperate as necessary and appropriate with EEO-related counselings, investigations, and ADR efforts.
- During FY 2024, OCR staff continued to communicate EEO topics with the CFPB workforce through a variety of channels such as the Weekly Digest, Manager Minute, and intranet announcements.

## E.4. Essential Element C: Management and program accountability

Management Directive 715 explains that a model Title VII and Rehabilitation Act program<sup>30</sup> will hold managers, supervisors, EEO officials, and personnel officers accountable for the effective implementation and management of the agency's EEO Program and Plan.<sup>31</sup> To uphold this essential element, the CFPB must take accountability with specific items described in the MD-715. In FY 2024, the CFPB met these requirements:

- CFPB personnel-related policies and procedures aid in the proactive prevention of discrimination and increase management and program accountability. The CFPB holds supervisory and management officials accountable for complying with the EEO laws in implementing CFPB policies governing major personnel issues and programs (e.g., *Hiring, Promotion, and Internal Personnel Movements Policy*, *Attorney Hiring and Promotion Policy*, *Disciplinary and Adverse Action Policy*, *Policy and Procedures for Addressing Misconduct*, etc.) as well as the agency-wide policies listed in section E.2.
- Appropriate CFPB staff were trained on the CFPB's revised *Disability Reasonable Accommodation and Personal Assistance Services Policy and Procedures* that were approved by the EEOC on October 6, 2021. These procedures are found on the CFPB's

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<sup>30</sup> See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.C.

<sup>31</sup> See MD-715 Instructions, at Section I.III. (Element C).

external website.<sup>32</sup>

- Throughout FY 2024, the *Policy Prohibiting Harassment and Bullying* was in effect which outlines seven principles to help us create a work environment free of unwanted, unacceptable, and unlawful actions and there is a short video available for employees that provides the highlights. This program is managed by OHC.
- The CFPB has a detailed policy for taking disciplinary action against CFPB employees – including for conduct that is inconsistent with Federal anti-discrimination laws and whistleblower protection laws. The CFPB’s *Disciplinary and Adverse Action Policy* provides examples of actions deemed unacceptable, which may result in disciplinary or adverse action, up to and including removal from CFPB. The list includes “Engaging in discrimination, harassment, or other inappropriate conduct.”
- The OCR Director and the Chief Human Capital Officer (CHCO) collaborate on numerous CFPB-wide workforce issues. This partnership facilitates overall collaborative efforts between the offices and their respective staffs. For example, in FY 2024, OCR worked closely with OHC to have access to or receive workforce data, applicant flow data, anti-harassment data, AES survey data and information on recruitment, selections, promotions, awards, compensation, training and development programs to complete the annual MD-715 report.
- Additionally, OCR and OHC worked together to revise and enhance various management and employee training modules (e.g., New Employee Orientation, Supervisory Development Seminars, etc.). OCR also continued its MOU with OHC to facilitate sharing of grievance and complaints data as appropriate and necessary for assessing election of forum for complaints and identifying trends under 29 C.F.R. Section 1614.301.
- OCR collaborated with OHC’s Anti-Harassment/Anti-Bullying Program to encourage referrals to the ADR Program in the event mediation or conflict coaching could help the employee resolve the issue they are having, whether it is an EEO or non-EEO issue. OCR promptly reports harassment to the Anti-Harassment/Anti-Bullying Program.
- In addition, the CFPB’s Part 1614 complaints process (administered by OCR), safeguards employee civil rights and provides appropriate relief for statutory violations.<sup>33</sup> In FY 2024, OCR issued zero findings of discrimination. When there are findings of discrimination, OCR

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<sup>32</sup> The procedures are available at <https://www.consumerfinance.gov/office-civil-rights/reasonable-accommodation-persons-disabilities/>.

<sup>33</sup> When OCR finds discrimination has occurred, OCR coordinates with the OMWI Director regarding the design and implementation of any remedies resulting from violations of civil rights statutes, regulations, or Executive orders (as required by the Dodd-Frank Act). See 12 U.S.C. § 5452(a)(3).

encourages CFPB officials to impose the maximum discipline supportable under the law and facts as relevant under the circumstances.<sup>34</sup> Where conduct was found to be inappropriate but not unlawful, the OCR Director may recommend particular improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO or managerial responsibilities through an After-Action memo.

- In November 2023, OCR staff shared three short videos with the workforce to demystify the EEO complaints process. These videos were made in collaboration with the Office of Technology & Innovation (T&I) and each video focuses on the roles and responsibilities of either a complainant, a responsible management official, or a witness in the EEO process, informs them of their duty to cooperate, and informs them what to expect from the process. Additionally, these videos are given as a resource to CFPB staff at the appropriate stages of the EEO process.
- Throughout FY 2024, progress was made on the action plan for persons with disabilities. Some details of the study, action items and accomplishments can be found at the end of the FY 2024 Disability Action Plan.
- During FY 2024, data integrity related to new hire demographics forms continued to be monitored for accuracy. The new hire demographics forms are initially submitted in the USAStaffing Onboarding Module and transmitted to HRConnect and the timing of form submission may cause a discrepancy between the form submitted by the employee and the system. Some FY 2024 new hire demographics data were inaccurate and CFPB worked to get identified data discrepancies corrected in the master file with NFC throughout the year. The corresponding action plan for this deficiency continues into FY 2025 (see Part H).

## E.5. Essential Element D: 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 [challenges] that impede free and open competition in the workplace. As part of this on-going obligation, agencies must conduct a self-assessment on at least an annual basis to monitor progress, identify areas where [challenges] may operate to exclude certain groups and develop strategic plans to eliminate

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<sup>34</sup> See 29 C.F.R. § 1614.102(a)(6) (providing that, in supporting its EEO program, agencies shall “[t]ake appropriate disciplinary action against employees who engage in discriminatory practices”).

identified [challenges].<sup>35</sup>

Examples of how CFPB met these requirements in FY 2024 include:

- As in years past, during FY 2024, OCR reviewed publicly available No FEAR Act data from other Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) agencies to benchmark EEO activity. In addition to the benchmarking, OCR uses this multi-year data set to identify trends as part of the OCR’s early warning system.
- OCR has worked as an “early warning system” for CFPB leadership and has regularly analyzed CFPB-wide data (such as EEO complaints, grievances, harassment inquiries, etc.) to identify red flags or trends, and proposed actions for CFPB leadership to take to proactively prevent discrimination or other workplace issues from happening.
- In May 2024, the Bureau had a technical assistance visit from the U.S. EEOC. OCR coordinated with appropriate stakeholders and leaders ahead of this visit. OCR and relevant stakeholders, such as OHC, are considering EEOC’s recommendations from the technical assistance letter, dated September 2024.

## E.6. Essential Element E: Efficiency

According to the MD-715 instructions, “[t]his element requires the agency head to ensure that there are effective systems for evaluating the impact and effectiveness of the agency’s EEO programs and an efficient and fair dispute resolution process.”<sup>36</sup> In FY 2024, CFPB adhered to these requirements:

- The CFPB maintains strict firewalls between OCR, DAPS, the Legal Division, OHC, and all other non-OCR Bureau leaders and staff regarding the EEO complaints process. To ensure EEO program independence and neutrality, in FY 2024 the CFPB ensured OCR had adequate legal resources to conduct its own legal sufficiency reviews. During FY 2024, the CFPB used staff, contractors, and agreements with other agencies to carry out regulatory

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<sup>35</sup> See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.D.; *see also* MD-715 Instructions, at Section I.IV (Element D).

<sup>36</sup> See MD-715 Instructions, at Section I.V. (Element E); *see also* MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.E.

responsibilities related to both the informal and formal complaint processes. The OCR Complaints team works directly with OHC to obtain data needed for EEO cases.

- All aspects of the Part 1614 process are managed by a dedicated EEO Complaints Program Manager who conducts regular check-ins with staff overseeing investigations. Further, the EEO Complaints Program Manager meets regularly with all OCR staff with complaints-related responsibilities to discuss all open cases, share necessary information, set priorities, and maintain a collective team focus on overall program success.
- During the majority of FY 2024, OCR had a full-time ADR Attorney-Advisor/Program Manager for the ADR Program, which offers EEO and non-EEO ADR options as well as a Conflict Coaching Program. In June 2024, a Conflict Prevention and Resolution Advisor was hired to support this program and soon after the ADR Attorney-Advisor/Program Manager went to another CFPB office. OCR offers and encourages the use of ADR during the pre-complaint and formal complaint stages of the EEO process, including (on occasion) while cases are pending before the EEOC for hearing or on appeal. The ADR Program also offers mediation for non-EEO workplace disputes. The CFPB'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 and the ADR program office authorizes its use. In FY 2024, the ADR informal participation rate was 61%, exceeding the EEOC's goal of 50% for its pre-complaint ADR participation rate. The FY 2023 action plan for this deficiency found in Part H is closed out with the FY 2024 report.
- Throughout FY 2024, the full-time support for the ADR Program continued as one full-time position. This resulted in less outreach and active steps to improve conflict literacy at the CFPB, including the constant outreach needed to increase participation in the Conflict Coaching Program. During the fiscal year, there were 16 individual Conflict Coaching sessions through the ADR Program's Conflict Coaching Program, which was less than the previous year. This independent CFPB-wide program was designed to help employees minimize workplace disputes at the lowest level possible.
- Throughout FY 2024, OCR placed the highest priority on delivering consistently excellent customer service and quality work products, while simultaneously adhering to all applicable Part 1614 timeframes and deadlines.

In FY 2024, OCR staff conducted all investigations of formal EEO complaints within the

regulatory timeframes.<sup>37</sup> The investigations processed by OCR staff and completed during FY 2024 were completed in an average of 219 days. Due to resource constraints or cases that posed a potential conflict-of-interest, there were five additional investigations processed by an outside entity and four were timely with an average of 212 days. The one untimely investigation conducted by an outside entity took 258 days. With respect to formal complaint processing, in FY 2024:

- ✓ The average number of days in investigation for complaints pending for any length of time during the fiscal year (for which investigations were completed during the fiscal year) was 220.50 days, an increase from an average of 160.50 days in FY 2023, and lower than the average of 224.82 days in FY 2022;
- ✓ The average number of days in investigation for complaints pending for any length of time during the fiscal year where a hearing was requested was 258.00 days, an increase from an average of 177.00 days in FY 2023, and higher than the average of 218.55 days in FY 2022;
- ✓ The average number of days in investigation for complaints pending for any length of time during FY 2024 where a hearing was not requested was 183.00 days, an increase from an average of 111.00 days in FY 2023, and lower than the average of 204.00 days in FY 2022;
- ✓ All investigations that were processed by the CFPB's OCR staff in FY 2024 were completed timely;
- ✓ OCR provides complainants with the regulatorily required "180-day letter" if an investigation is expected to go over 180 days. This letter notifies complainants of the date by which OCR expects to complete the investigation and informs complainants of their immediate right to request a hearing before an EEOC Administrative Judge or to file a lawsuit. Of the three investigations completed by OCR staff during FY 2024, only one investigation exceeded 180 days due to amendments that extended processing timelines under applicable regulations. Since the ROI issuance extended beyond 180 days, a "180-day letter" was timely issued;<sup>38</sup>

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<sup>37</sup> See 29 C.F.R. § 1614.108(f).

<sup>38</sup> See 29 C.F.R. §1614.108(g).



- ✓ As of the end of FY 2024, CFPB had zero pending complaints where investigations exceeded the required time frames;
  - ✓ The average number of days in final-action status for complaints pending for any length of time during FY 2024 was 46.33 days, which was more than FY 2023 which was 31.60 days, and more than FY 2022 which was 34.56 days. All Final Agency Decisions (FADs) and Final Agency Orders (FAOs) were issued on time;
  - ✓ As soon as OCR receives notice that a complainant has requested an EEOC hearing before an Administrative Judge (AJ) or has filed an appeal of a final agency action with EEOC's OFO, OCR uploads all documents to FedSEP (the EEOC's online (password-protected) federal-sector EEO portal).<sup>39</sup>
- OCR reviewed FY 2024 EEO complaints data for other FIRREA agencies with ten or more formal complaints. Formal EEO complaints filed at CFPB trended down between FY 2023 and FY 2024, whereas the other financial regulatory agencies trended upward.
  - During FY 2024, OCR continued to use Entellitrak's ETK EEO platform which 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 complaints program. There is a separate ADR module for tracking and analyzing ADR program-related data. Since the additional tracking required under the Elijah E. Cummings Federal Employment Antidiscrimination Act of 2020 has not been implemented by the vendor yet, OCR manually tracks the required information. There were no findings of discrimination during FY 2024. During FY 2024, OCR included the required class action data in the No FEAR Act report.<sup>40</sup>
  - In FY 2024, OCR's Senior Advisor (EEO Data & Programs) continued to partner regularly with OHC to obtain employee workforce demographics and other data for the required MD-715 reporting.
  - Throughout FY 2024, the Anti-Harassment/Anti-Bullying program continued working to ensure that all past and present cases are fully and accurately captured in the separate case management tool. This is critical for identifying trends, triggers and compliance with the

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<sup>39</sup> See 29 C.F.R. § 1614.403(g).

<sup>40</sup> See No FEAR Act data at <https://www.consumerfinance.gov/office-civil-rights/no-fear-act-cummings-act/>.

policy and procedures. The FY 2023 Part H action plan is continued in the FY 2024 report.

## E.7 Essential Element F: 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.<sup>41</sup>

Throughout FY 2024, CFPB met these requirements:

- CFPB had a system of management controls in place to ensure that its officials timely comply with all EEOC orders/directives and final agency actions. OCR staff is tasked with monitoring and facilitating compliance (working with the Legal Division and other stakeholders) with all orders and directives issued by EEOC Administrative Judges (AJs) and the EEOC's Office of Federal Operations (OFO), as well as with any final agency actions issued by OCR, including monetary and other remedial relief. CFPB executives, managers, and supervisors are evaluated under Leader Performance Standards that require them to comply with settlements agreements and orders issued by the Agency (e.g., through OCR final actions, including final decisions on EEO complaints), EEOC (e.g., by AJs or by OFO on administrative appeals), and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority. Individuals who fail to adhere to these performance standards will be held accountable accordingly through the CFPB's performance management process. Relatedly, any CFPB employees responsible for compliance with EEOC orders will be held accountable for poor work product and/or delays connected to compliance with such orders as outlined above.

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<sup>41</sup> See MD-715, Model Agency Title VII and Rehabilitation Act Programs, at Section II.F.

- When an EEO complainant requested a hearing or filed an appeal, OCR staff checked FedSEP regularly to ascertain whether the matter had been docketed. Regardless of docketing status, OCR staff uploads the complaint file as prescribed by EEOC orders and/or established regulatory timeframes for use by the EEOC (either by an EEOC AJ as part of hearing proceedings<sup>42</sup> or by OFO in adjudication of an appeal<sup>43</sup>). During FY 2024, OCR submitted investigative files timely (i.e., within 15 days) to the appropriate EEOC hearing office when a complainant requested a hearing.
- Throughout FY 2024, CFPB timely responded and fully complied with all EEOC orders issued as part of the hearings and/or appeals process.<sup>44</sup> Where necessary, the CFPB promptly provided EEOC with required documentation for completing compliance with any such orders.<sup>45</sup>
- To date, CFPB has never been sanctioned by the EEOC for non-compliance with any directives or orders.
- In FY 2024, CFPB met all regulatory requirements to submit an annual Form 462 Report, EEOC MD-715 Report, the FEORP Report, the DVAAP Report, and quarterly and annual No FEAR Act reports. In FY 2024, all annual reports were accurate, complete and submitted on time. Also in FY 2024, OCR posted all four quarterly No FEAR Act data reports on its public website, [www.consumerfinance.gov](http://www.consumerfinance.gov),<sup>46</sup> on time (i.e., within 30 days after the end of each fiscal year quarter).<sup>47</sup>

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<sup>42</sup> See 29 C.F.R. § 1614.108(g).

<sup>43</sup> See 29 C.F.R. § 1614.403(e).

<sup>44</sup> See 29 C.F.R. § 1614.502.

<sup>45</sup> See 29 C.F.R. § 1614.502.

<sup>46</sup> The CFPB's most recent quarterly and annual No FEAR Act data and reports can be found at <https://www.consumerfinance.gov/office-civil-rights/no-fear-act/>.

<sup>47</sup> See 29 C.F.R. § 1614.704.

## E.8 Workforce analyses

At the end of FY 2024, CFPB's total workforce was comprised of 1,755 employees which was a net increase of 80 employees. During FY 2024, there were 173 new hires and 93 separations from the total workforce. The total workforce was comprised of 1,603 employees on permanent appointments and 152 employees on temporary appointments.

When focusing on employees in the permanent workforce, there were 109 new hires and 65 separations during FY 2024. More than half of the new hires (63 individuals) were for the largest division, SEFL.<sup>48</sup> This division also had the highest number of separations from the permanent workforce (35 individuals). Approximately one third of separations from the permanent workforce were through retirement. The rest were through resignations or transfers to other federal agencies with approximately 3% for removals from the Bureau.

The CFPB has four mission critical occupations, which includes Economists (0110 series), Miscellaneous Administration and Program series (0301), Examiners (0570 series) and Attorneys (0905 series). In the permanent workforce, there were 56 Economists, 315 Misc. Admin. and Program staff, 384 Examiners, and 375 Attorneys. Approximately 70% of the permanent workforce is comprised of individuals in one of these mission critical occupations.

Throughout FY 2024, OCR reviewed, considered and analyzed workforce data, as required by the EEOC, to include preparing the MD-715 tables. Specifically, during FY 2024, OCR continued to focus on and flag for senior leadership the challenges and offer recommended actions pertaining to the Bureau's anti-harassment and bullying program, managed by OHC. In FY 2024, there were 115 harassment or bullying allegations received by the anti-harassment program compared with 33 allegations the year prior.<sup>49</sup> During the majority of the fiscal year, the program lacked consistent leadership and sufficient resources to timely process the volume of cases. OCR made recommendations to OHC regarding the Bureau's Anti-Harassment Program. There is additional information in Part H pertaining to the deficiencies and action plan for the program.

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<sup>48</sup> In November 2024, this division was realigned into two separate divisions. One is called the Enforcement Division and the other is the Supervision Division. 43 of the permanent new hires were for Enforcement.

<sup>49</sup> The Bureau's Anti-Harassment Policy was expanded in July 2023 to include bullying, which contributed to the increase in cases.

During FY 2024, OCR with the assistance of a vendor, identified challenges regarding negative performance actions and disciplinary actions. OCR identified statistics through reviewing personnel actions (e.g., suspensions, involuntary separations), negative performance actions (e.g., at-risk memos, performance improvement plans) and disciplinary actions (e.g., reprimands) that required further investigation. Trend data in EEO complaints and employee perception data from the annual employee survey were also reviewed. In conjunction with a vendor, additional documentation and information was analyzed, subject matter experts were interviewed, supervisors were surveyed and focus groups were conducted. Ultimately, there were challenges identified and specific action items agreed upon to mitigate and hopefully eliminate the challenges which are detailed in Part I.

## E.9 Accomplishments

In FY 2024, the CFPB's EEO program achieved significant milestones and successes. These included, but are not limited to:

- OCR updated the *EEO & Non-Discrimination Policy*, which was issued with the timely annual EEO policy statements by former CFPB Director Chopra.
- The OCR Director presented the State of the Agency briefing with the required information to senior leaders that used an analogy with planning an around the world trip to connect the leadership themes and expectations of a model EEO program in a memorable and engaging way.
- A career development pilot program for administrative positions in SEFL was successful and was expanded to a voluntary Bureau-wide offering for all employees in CN-30 and CN-40, which is called the CFPB Targeted Career Development Series.
- OHC added a new CFPB Future Leaders Training Program (FLTP), which is available to all employees to participate in for growth and development and each cohort is first come, first serve.
- OCR reviewed select internal and external documents that came through the internal clearance process such as speeches, CFPB website posts, etc. as well as policies as a mandatory reviewer for the *Management of Internal Policies* process. During FY 2024, OCR reviewed over 100 documents.

- OCR exceeded the EEOC's goal of 50% for the pre-complaint ADR participation rate and eliminate this deficiency outlined in the FY 2024 MD-715 Part H. Additionally, the ADR Program has 18 trained Conflict Coaches for the CFPB's Conflict Coaching Program.
- OCR offered a one-day EEO training for CFPB supervisors and managers. The training covered everything from EEO laws to harassment and retaliation, the EEO process, ADR, and reasonable accommodations for disabilities, religion, and pregnancy (and related medical conditions). It included many case scenarios to help solidify the breadth of material covered.
- The OCR Director issued After Action Memoranda following the completion of the EEO complaint process, when appropriate, to provide recommendations to leaders on effective change that can be made where there may not be a legal violation but where OCR identified areas where improvements can be made to proactively prevent unlawful discrimination from happening in the future.
- OCR serves as an "early warning system" for CFPB leadership and has regularly analyzed CFPB-wide data (such as EEO complaints, grievances, harassment inquiries, etc.) to identify areas of potential concern or trends, and proposed actions for CFPB leadership to take to proactively prevent discrimination or other workplace issues from happening.

## E.10 Planned Activities

In FY 2025, the CFPB plans to focus on the following objectives:

- Continuing to incorporate the EEOC's Six Essential Elements of a Model EEO Program to achieve greater program effectiveness;
- Ensuring continued compliance with the Elijah E. Cummings Federal Employment Antidiscrimination Act of 2020;
- Continuing to process all informal and formal complaints and requests for ADR in compliance with 29 C.F.R. Part 1614 and EEOC's MD-110;
- Briefing senior leadership on the state of the EEO program to reaffirm support for the program, provide awareness of issues and trends (systemic or otherwise), and solicit input on strengthening the CFPB's EEO program;

- Maintaining accuracy and efficiency of EEO complaint data monitoring, tracking, and reporting through continued use of Entellitrak (called ETK EEO) and continued enforcement of robust internal controls related to data tracking and monitoring;
- Increasing employee awareness of EEO statutes, including by distributing EEO-related information via various means and media (e.g., digital channels, informational brochures and fact sheets, individual and group training and outreach), including the three videos from the perspectives of the Complainant, the responsible management official, and a witness;
- Promoting communication and early intervention to help CFPB officials identify the issues that may give rise to EEO complaints;
- Training supervisors and managers to provide proactive approaches to resolving issues stemming from alleged violations of personnel policies and practices;
- Fostering constructive, open, continuous communication between employees and management to help resolve workplace conflicts at the earliest possible opportunity, and ensuring that employees, management officials, and persons with settlement authority understand the purpose and value of ADR;
- Proactively providing subject matter expertise at the earliest stages of the development and implementation of CFPB policies, procedures, practices, and decisions that impact the workforce;
- Reviewing feedback from employee surveys, exit interviews, listening sessions, and training to identify opportunities for improvement; and
- Incorporating EEO best practices gained through the CFPB's coalitions with other Federal agencies, particularly financial regulatory agencies and other small- and medium-sized agencies.

## Part F – Certification of establishment of continuing EEO programs

Melissa S. Brand, Director of the Office of Civil Rights, is the Principal EEO Official for the Consumer Financial Protection Bureau.

The Agency has conducted an annual self-assessment of Title VII Section 717 and Rehabilitation Act 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 analyses aimed at detecting whether any management or personnel policy, procedure, or practice is operating to create EEO challenges. EEO Plans to eliminate identified challenges, as appropriate, are included with this Federal Agency Annual EEO Program Status Report.

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

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**Melissa S. Brand, Director**  
**Office of Civil Rights**

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**Date**



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

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**Russell Vought, Acting Director**  
**Consumer Financial Protection Bureau**



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**Date**

[Signed versions are on file with the U.S. Equal Employment Opportunity Commission.]



## Part G – EEO program self-assessment checklist



The CFPB conducted the mandatory self-assessment of its EEO Program by completing MD-715 Part G, the Self-Assessment Checklist. The first two columns in the checklist with the compliance indicators and measures are templated language provided by the EEOC. This checklist and supporting documentation and data have also been submitted to the EEOC via FedSEP.

<p style="text-align: center;"><b>Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP</b></p> <p style="text-align: center;"><b>This element requires the agency head to communicate a commitment to equal employment opportunity and a discrimination-free workplace.</b></p>			
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>A.1 – The agency issues an effective, up-to-date EEO policy statement.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>A.1.a</b>	Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency’s commitment to EEO for all employees and applicants? If “yes”, please provide the annual issuance date in the comments column. [see MD-715, II(A)]	Yes	CFPB Director Chopra issued the CFPB’s FY 2024 EEO and Anti-Harassment Policy Statement on September 30, 2024.
<b>A.1.b</b>	Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)]	Yes	Going forward, legally protected EEO bases are: race; color; religion; sex; national origin; age; disability; genetic information; pregnancy; childbirth, or related conditions; and prior protected EEO activity or whistleblower activity (e.g., retaliation/reprisal).

 <b>Compliance Indicator</b>   <b>Measures</b>	<b>A.2 – The agency has communicated EEO policies and procedures to all employees.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>A.2.a</b>	Does the agency disseminate the following policies and procedures to all employees:		
<b>A.2.a.1</b>	Anti-harassment policy? [see MD 715, II(A)]	Yes	
<b>A.2.a.2</b>	Reasonable accommodation procedures? [see 29 C.F.R § 1614.203(d)(3)]	Yes	
<b>A.2.b</b>	Does the agency prominently post the following information throughout the workplace and on its public website:		
<b>A.2.b.1</b>	The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	Yes	
<b>A.2.b.2</b>	Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 C.F.R § 1614.102(b)(5)]	Yes	



<b>A.2.b.3</b>	Reasonable accommodation procedures? [see 29 C.F.R. § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	Yes	CFPB's policy is available at <a href="https://www.consumerfinance.gov/office-civil-rights/reasonable-accommodation-persons-disabilities/">https://www.consumerfinance.gov/office-civil-rights/reasonable-accommodation-persons-disabilities/</a> .
<b>A.2.c</b>	Does the agency inform its employees about the following topics:		
<b>A.2.c.1</b>	EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often.	Yes	This information is provided to all employees in a variety of ways at multiple points throughout each fiscal year (e.g., at new employee orientations, upon the Director's issuance of the annual EEO and Anti-Harassment Policy Statement and No FEAR Act Notice to all employees, as part of mandatory annual No FEAR Act and Harassment-Prevention training, etc.). This information is also available and maintained on the OCR intranet which is accessible by all employees at any time. Reminders are emailed to all staff a few times a year as part of the CFPB-wide weekly newsletter.
<b>A.2.c.2</b>	ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	Yes	This information is provided to all employees in a variety of ways at



			multiple points throughout each fiscal year. See answer to A.2.c.1.
<b>A.2.c.3</b>	Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If “yes”, please provide how often.	Yes	This information is provided to all employees in a variety of ways at multiple points throughout each fiscal year. See answer to A.2.c.1.
<b>A.2.c.4</b>	Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If “yes”, please provide how often.	Yes	This information is provided to all employees in a variety of ways at multiple points throughout each fiscal year. See answer to A.2.c.1.
<b>A.2.c.5</b>	Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR § 2635.101(b)] If “yes”, please provide how often.	Yes	This information is provided to all employees in a variety of ways at multiple points throughout each fiscal year. See answer to A.2.c.1.
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>A.3 – The agency assesses and ensures EEO principles are part of its culture.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>



<b>A.3.a</b>	Does the agency provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a) (9)] If “yes”, provide one or two examples in the comments section.	Yes	All employees are encouraged to recognize a colleague through the Superior EEO Achievement certificate program.
<b>A.3.b</b>	Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]	Yes	
<p style="text-align: center;"><b>Essential Element B: INTEGRATION OF EEO INTO THE AGENCY’S STRATEGIC MISSION</b></p> <p style="text-align: center;"><b>This element requires that the agency’s EEO programs are structured to maintain a workplace that is free from discrimination and support the agency’s strategic mission.</b></p>			
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.1 - The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>B.1.a</b>	Is the agency head the immediate supervisor of the person (“EEO Director”) who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	Yes	

<b>B.1.a.1</b>	If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.	N/A	
<b>B.1.a.2</b>	Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	No	See <a href="https://www.consumerfinance.gov/about-us/the-bureau/bureau-structure/">https://www.consumerfinance.gov/about-us/the-bureau/bureau-structure/</a> . There is a corresponding Part H action plan.
<b>B.1.b</b>	Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	Yes	
<b>B.1.c</b>	During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I)] If "yes", please provide the date of the briefing in the comments column.	Yes	The OCR Director presented this briefing to senior management officials on September 18, 2024. Former Director Chopra confirmed he received the information in September 2024.
<b>B.1.d</b>	Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	Yes	





 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.2 – The EEO Director controls all aspects of the EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>B.2.a</b>	Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)]	Yes	
<b>B.2.b</b>	Is the EEO Director responsible for overseeing the completion of EEO counseling [see 29 CFR §1614.102(c)(4)]	Yes	
<b>B.2.c</b>	Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	Yes	
<b>B.2.d</b>	Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	Yes	

<b>B.2.e</b>	Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	Yes	
<b>B.2.f</b>	Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	Yes	
<b>B.2.g</b>	If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2) and (c)(3)]	N/A	The CFPB does not have subcomponents.
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.3 - The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>B.3.a</b>	Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	Yes	



<b>B.3.b</b>	Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	Yes	The CFPB Strategic Plan for FY 2022-2026 makes CFPB leadership's commitment to EEO explicit in goal 4. However, the CFPB Strategic Plan will be revised to align it with the President's and the Acting Director's priorities. Although the CFPB will continue to commit to the EEO, the CFPB will not reference diversity and inclusion principles in light of the Executive Order 14151, "Ending Radical and Wasteful Government DEI Programs and Preferences," and Executive Order 14173, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity."
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>B.4.a</b>	Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to		

	successfully implement the EEO program, for the following areas:		
<b>B.4.a.1</b>	to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	Yes	
<b>B.4.a.2</b>	to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	Yes	
<b>B.4.a.3</b>	to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR § 1614.102(c)(5) & 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	Yes	
<b>B.4.a.4</b>	to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	Yes	
<b>B.4.a.5</b>	to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]	N/A	




<b>B.4.a.6</b>	to publish and distribute EEO materials (e.g., harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	Yes	
<b>B.4.a.7</b>	to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)]. If not, please identify the systems with insufficient funding in the comments section.	Yes	
<b>B.4.a.8</b>	to effectively administer its special emphasis programs (such as, Federal Women's Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]	Yes	
<b>B.4.a.9</b>	to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I); EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	No	In FY 2024, there were 115 harassment or bullying allegations received by the anti-harassment program which are handled by two Program Managers. This is a 350 percent increase in cases compared to FY 2023. There is a corresponding Part H action plan.
<b>B.4.a.10</b>	to effectively manage its reasonable accommodation program? [see 29 CFR § 1614.203(d)(4)(ii)]	Yes	


<b>B.4.a.11</b>	to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	Yes	
<b>B.4.b</b>	Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	Yes	
<b>B.4.c</b>	Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	Yes	
<b>B.4.d</b>	Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II)(A) of MD-110?	Yes	
<b>B.4.e</b>	Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	Yes	
 <b>Compliance Indicator</b> 	<b>B.5 – The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>

<b>Measures</b>			
<b>B.5.a</b>	Pursuant to 29 CFR § 1614.102(a)(5), have all managers and supervisors received training on their responsibilities under the following areas under the agency EEO program:		
<b>B.5.a.1</b>	EEO Complaint Process? [see MD-715(II)(B)]	Yes	
<b>B.5.a.2</b>	Reasonable Accommodation Procedures? [see 29 C.F.R. § 1614.102(d)(3)]	Yes	
<b>B.5.a.3</b>	Anti-Harassment Policy? [see MD-715(II)(B)]	Yes	
<b>B.5.a.4</b>	Supervisory, managerial, communication, and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	Yes	
<b>B.5.a.5</b>	ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	Yes	

 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.6 – The agency involves managers in the implementation of its EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>B.6.a</b>	Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	Yes	
<b>B.6.b</b>	Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	Yes	
<b>B.6.c</b>	When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	Yes	
<b>B.6.d</b>	Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR § 1614.102(a)(5)]	Yes	
<p style="text-align: center;"><b>Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY</b></p> <p style="text-align: center;"><b>This element requires the agency head to hold all managers, supervisors, and EEO officials responsible for the effective implementation of the agency's EEO Program and Plan.</b></p>			





 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.1 – The agency conducts regular internal audits of its component and field offices.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>C.1.a</b>	Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	N/A	The CFPB does not have components or field offices.
<b>C.1.b</b>	Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	N/A	The CFPB does not have components or field offices.
<b>C.1.c</b>	Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]	N/A	The CFPB does not have components or field offices.
 <b>Compliance Indicator</b>	<b>C.2 – The agency has established procedures to prevent all forms of EEO discrimination.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>

 <b>Measures</b>			
<b>C.2.a</b>	Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	Yes	
<b>C.2.a.1</b>	Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	Yes	
<b>C.2.a.2</b>	Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]	Yes	
<b>C.2.a.3</b>	Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	Yes	



<b>C.2.a.4</b>	Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [see Enforcement Guidance, V.C.]	Yes	
<b>C.2.a.5</b>	Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see <u>Complainant v. Dep't of Veterans Affairs</u> , EEOC Appeal No. 0120123232 (May 21, 2015); <u>Complainant v. Dep't of Defense (Defense Commissary Agency)</u> , EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.	No	Based on the inconsistent data entry, it is unclear if the agency is conducting a prompt inquiry of all harassment allegations through the Bureau's Anti-Harassment Program. OHC provided that 89% of cases started within 10 days. This is covered by an existing Part H action plan.
<b>C.2.a.6</b>	Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR 1614.203(d)(2)]	Yes	
<b>C.2.b</b>	Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR 1614.203(d)(3)]	Yes	
<b>C.2.b.1</b>	Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR 1614.203(d)(3)(D)]	Yes	

<b>C.2.b.2</b>	Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	Yes	
<b>C.2.b.3</b>	Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR 1614.203(d)(1)(ii)(B)]	Yes	
<b>C.2.b.4</b>	Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR 1614.203(d)(3)(i)(M)]	Yes	
<b>C.2.b.5</b>	Does the agency process all accommodation requests within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If “no”, please provide the percentage of timely-processed requests in the comments column.	Yes	CFPB’s current reasonable accommodation SOPs <i>generally</i> require accommodations to be provided in no more than 30 days, absent extenuating circumstances (which are strictly defined in the SOPs). Where extenuating circumstances exist, the CFPB will investigate whether there are temporary measures that can be taken to assist the requestor and provide temporary measures where feasible.

<b>C.2.c</b>	Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR 1614.203(d)(6)]	Yes	
<b>C.2.c.1</b>	Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR § 1614.203(d)(5)(v)] If "yes", please provide the internet address in the comments column.	Yes	The procedures are posted at <a href="https://www.consumerfinance.gov/office-civil-rights/reasonable-accommodation-persons-disabilities/">https://www.consumerfinance.gov/office-civil-rights/reasonable-accommodation-persons-disabilities/</a> .
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>C.3.a</b>	Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	Yes	



<b>C.3.b</b>	Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:		
<b>C.3.b.1</b>	Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]	Yes	
<b>C.3.b.2</b>	Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]	Yes	
<b>C.3.b.3</b>	Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]	Yes	
<b>C.3.b.4</b>	Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]	Yes	
<b>C.3.b.5</b>	Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	Yes	Note that under the most recent Supreme Court precedent, the test for undue hardship is whether accommodations would impose substantial increased costs on employer. Groff v. DeJoy, 600 U.S. 447 (2023)



<b>C.3.b.6</b>	Provide disability accommodations when such accommodations do not cause an undue hardship? [ see 29 CFR §1614.102(a)(8)]	Yes	
<b>C.3.b.7</b>	Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]	Yes	
<b>C.3.b.8</b>	Support the anti-harassment program in investigating and correcting harassing conduct. [see Enforcement Guidance, V.C.2]	Yes	
<b>C.3.b.9</b>	Comply 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? [see MD-715, II(C)]	Yes	
<b>C.3.c</b>	Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]	Yes	
<b>C.3.d</b>	When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]	Yes	



 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.4 – The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>C.4.a</b>	Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	Yes	
<b>C.4.b</b>	Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]	Yes	
<b>C.4.c</b>	Does the EEO office have timely access to accurate and complete data (e.g., demographic data for workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]	No	A data integrity issue was identified with the data feed between USAStaffing Onboarding Module and HRConnect related to the SF-181, SF-256, and Education form that was identified in the FY 2023 MD-715 report and the FY 2023





			Part H action plan is continued in this report.
<b>C.4.d</b>	Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	Yes	
<b>C.4.e</b>	Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:		
<b>C.4.e.1</b>	Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	Yes	
<b>C.4.e.2</b>	Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	Yes	
<b>C.4.e.3</b>	Develop and/or provide training for managers and employees? [see MD-715, II(C)]	Yes	
<b>C.4.e.4</b>	Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	Yes	
<b>C.4.e.5</b>	Assist in preparing the MD-715 report? [see MD-715, II(C)]	Yes	





 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.5 – Following a finding of discrimination, the agency explores whether it should take a disciplinary action.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>C.5.a</b>	Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR § 1614.102(a)(6); see also <u>Douglas v. Veterans Administration</u> , 5 MSPR 280 (1981)]	Yes	CFPB has a policy, but not a table of penalties.
<b>C.5.b</b>	When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If “yes”, please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	Yes	None during the reporting period.
<b>C.5.c</b>	If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct? [see MD-715, II(C)]	Yes	The OCR Director issues “After Action Memos” to appropriate senior officials in cases that were settled but a finding was likely, or in other cases where there may not have been a violation of the law but other red flags that need to be addressed before it becomes a violation of the law.


 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.6 – The EEO office advises managers/supervisors on EEO matters.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>C.6.a</b>	Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If “yes”, please identify the frequency of the EEO updates in the comments column.	Yes	The OCR Director provides the “State of the Agency EEO Program” briefing each year. The OCR Director meets regularly with the CFPB Director, senior leaders, divisions, offices, and team leads. OCR staff also presents throughout each year to all managers, regions and regional offices. Once a year, all employees also receive notice of submission/publication of the Agency’s annual MD-715 Report and annual No FEAR Act Report.
<b>C.6.b</b>	Are EEO officials readily available to answer managers’ and supervisors’ questions or concerns? [see MD-715 Instructions, Sec. I]	Yes	

<p style="text-align: center;"><b>Essential Element D: PROACTIVE PREVENTION</b></p> <p style="text-align: center;"><b>This element requires that the agency head make early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity.</b></p>			
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>D.1 – The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>D.1.a</b>	Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	Yes	
<b>D.1.b</b>	Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	Yes	Note that affinity groups have been disbanded as of March 12, 2025 (Acting Director Vought's Memo: Directive on Implementation of Executive Orders Eliminating DEIA In the Federal Government).
<b>D.1.c</b>	Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of	Yes	


	individuals with disabilities? [see 29 CFR 1614.203(d)(1)(iii)(C)]		
 <b>Compliance Indicator</b>  <b>Measures</b>	<b>D.2 – The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>D.2.a</b>	Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	Yes	OCR had a process in FY 2024.
<b>D.2.b</b>	Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	Yes	In FY 2024, OCR engaged in this activity for all employees and applicants.
<b>D.2.c</b>	Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	Yes	In FY 2024, OCR engaged in this activity for all employees and applicants.
<b>D.2.d</b>	Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity	Yes	Various sources of data, including but not limited to the CFPB's MD-715 Reports; workforce data tables for

	<p>groups, union, program evaluations, anti-harassment program, special emphasis programs, reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I] If “yes”, please identify the data sources in the comments column.</p>		<p>multiple fiscal years; AES/New Employee/Exit Survey data results; CFPB’s Form 462 and No FEAR act data and reports; complaints and reasonable accommodations data; “State of the Agency EEO Program briefing” materials; EEO complaint data, reasonable accommodations data, misconduct cases, grievance cases, performance action, disciplinary actions and anti-harassment/anti-bullying program data are reviewed. EEOC issued Technical Assistance letters and feedback, and OPM memoranda were reviewed as well.</p> <p>Note that affinity groups have been disbanded as of March 12, 2025 (Acting Director Vought’s Memo: Directive on Implementation of Executive Orders Eliminating DEIA In the Federal Government).</p>



 <b>Compliance Indicator</b>   <b>Measures</b>	<b>D.3 – The agency establishes appropriate action plans to remove identified barriers.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>D.3.a.</b>	Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	Yes	
<b>D.3.b</b>	If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]	Yes	
<b>D.3.c</b>	Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	Yes	
 <b>Compliance Indicator</b>  	<b>D.4 – The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>


Measures			
<b>D.4.a</b>	Does the agency post its affirmative action plan on its public website? [see 29 CFR 1614.203(d)(4)] Please provide the internet address in the comments.	Yes	The AAP is available at <a href="https://www.consumerfinance.gov/office-civil-rights/eeo-policy-and-reports/">https://www.consumerfinance.gov/office-civil-rights/eeo-policy-and-reports/</a> .
<b>D.4.b</b>	Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR 1614.203(d)(1)(i)]	Yes	
<b>D.4.c</b>	Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR 1614.203(d)(1)(ii)(A)]	Yes	
<b>D.4.d</b>	Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR 1614.203(d)(7)(ii)]	Yes	
<p style="text-align: center;"><b>Essential Element E: EFFICIENCY</b></p> <p style="text-align: center;"><b>This element requires the agency head to ensure that there are effective systems for evaluating the impact and effectiveness of the agency's EEO programs and an efficient and fair dispute resolution process.</b></p>			
			Comments






<b>Compliance Indicator</b>	<b>E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	
 <b>Measures</b>			
<b>E.1.a</b>	Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	Yes	
<b>E.1.b</b>	Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?	Yes	
<b>E.1.c</b>	Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?	Yes	Of the 15 formal complaints that were filed in FY 2024 the average length of time for issuing the acknowledgement letter was 4 calendar days.
<b>E.1.d</b>	Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.	Yes	Of the formal complaints that were filed in FY 2024 the average length of time for issuing the Accept/Dismiss communication was 25 calendar days. In FY 2024, CFPB dismissed 1 formal complaint which was pending for 21 calendar days before dismissal.
<b>E.1.e</b>	Does the agency ensure all employees fully cooperate with EEO counselors and EEO personnel in the EEO process,	Yes	



	including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?		
<b>E.1.f</b>	Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?	Yes	
<b>E.1.g</b>	If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?	Yes	
<b>E.1.h</b>	When the complainant does not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?	Yes	
<b>E.1.i</b>	Does the agency issue final actions timely following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?	Yes	
<b>E.1.j</b>	If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.	Yes	In the event that any contractor provides poor work product or causes inexcusable delays in processing times, the contract could be terminated and/or key personnel could be replaced. The contractors' performance would be reported via Contractor Performance



			Assessment Reporting System (CPARS).
<b>E.1.k</b>	If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]	Yes	Employees are held accountable for performance objectives through the CFPB's performance management process consistent with merit system principles, due process rights, CFPB policies, and related applicable requirements.
<b>E.1.l</b>	Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]	Yes	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.2 – The agency has a neutral EEO process.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>E.2.a</b>	Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If “yes”, please explain.	Yes	The EEO complaint program has attorneys that are separate from the agency's Legal Division.

<b>E.2.b</b>	When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If “yes”, please identify the source/location of the attorney who conducts the legal sufficiency review in the comments column.	Yes	OCR staff attorneys conduct legal sufficiency reviews.
<b>E.2.c</b>	If the EEO office relies on the agency’s defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]	N/A	OCR staff attorneys conduct legal sufficiency reviews.
<b>E.2.d</b>	Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]	Yes	
<b>E.2.e</b>	If applicable, are processing time frames incorporated for the legal counsel’s sufficiency review for timely processing of complaints? [see EEOC Report, <i>Attaining a Model Agency Program: Efficiency</i> (Dec. 1, 2004)]	N/A	OCR staff attorneys conduct legal sufficiency reviews.
 <b>Compliance Indicator</b>	<b>E.3 - The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>



 <b>Measures</b>			
<b>E.3.a</b>	Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	Yes	In FY 2024, the ADR informal participation rate was 61%, exceeding the EEOC's goal of 50%. The FY 2023 Part H action plan is closed out.
<b>E.3.b</b>	Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]	Yes	
<b>E.3.c</b>	Does the agency encourage all employees to use ADR, where ADR is appropriate? [see MD-110, Ch. 3(IV)(C)]	Yes	
<b>E.3.d</b>	Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]	Yes	
<b>E.3.e</b>	Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]	Yes	
<b>E.3.f</b>	Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	Yes	



 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.4 – The agency has effective and accurate data collection systems in place to evaluate its EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>E.4.a</b>	Does the agency have systems in place to accurately collect, monitor, and analyze the following data:		
<b>E.4.a.1</b>	Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	Yes	
<b>E.4.a.2</b>	The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	Yes	
<b>E.4.a.3</b>	Recruitment activities? [see MD-715, II(E)]	Yes	
<b>E.4.a.4</b>	External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]	Yes	
<b>E.4.a.5</b>	The processing of requests for reasonable accommodation? [29 CFR § 1614.203(d)(4)]	Yes	
<b>E.4.a.6</b>	The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious	No	The Anti-Harassment Program is working to ensure that all past and

	Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]		present cases are fully and accurately captured in the system. The FY 2023 Part H action plan is continued in this report.
<b>E.4.b</b>	Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	Yes	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.5 – The agency identifies and disseminates significant trends and best practices in its EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>E.5.a</b>	Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If “yes”, provide an example in the comments.	Yes	CFPB regularly monitors trends in its EEO program to determine whether the CFPB is meeting its obligations under the workplace anti-discrimination laws.
<b>E.5.b</b>	Does the agency review other agencies’ best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If “yes”, provide an example in the comments.	Yes	For instance, during FY 2024, OCR met and interacted regularly with other agencies to share best practices related to annual reporting and workforce analysis. OCR also benchmarks other

			agencies regularly when looking to improve the Agency's EEO Program. CFPB's Anti-Harassment Program Managers participate in the EEOC's related community of practice.
<b>E.5.c</b>	Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]	Yes	
<p style="text-align: center;"><b>Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE</b></p> <p style="text-align: center;"><b>This element requires federal agencies to comply with EEO statutes and EEOC regulations, policy guidance, and other written instructions.</b></p>			
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>F.1 – The agency has processes in place to ensure timely and full compliance with EEOC Orders and settlement agreements.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>F.1.a</b>	Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	Yes	



<b>F.1.b</b>	Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	Yes	
<b>F.1.c</b>	Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	Yes	
<b>F.1.d</b>	Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	Yes	
<b>F.1.e</b>	When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	Yes	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>F.2 – The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>
<b>F.2.a</b>	Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	Yes	

<b>F.2.a.1</b>	When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	Yes	
<b>F.2.a.2</b>	When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	Yes	
<b>F.2.a.3</b>	When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	Yes	
<b>F.2.a.4</b>	Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	Yes	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>F.3 - The agency reports to EEOC its program efforts and accomplishments.</b>	<b>Measure Met?</b>  <b>(Yes/No/NA)</b>	<b>Comments</b>

<b>F.3.a</b>	Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	Yes	
<b>F.3.b</b>	Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	Yes	See <a href="https://www.consumerfinance.gov/office-civil-rights/no-fear-act/">https://www.consumerfinance.gov/office-civil-rights/no-fear-act/</a>

# Part H – EEO plan to attain the essential elements of a model EEO program

## H.1. Action Plan – Data Accuracy

**TABLE 3:** FY 2024 EEOC MD-715 REPORT PART H-1

EEOC Form 715-01 Part H-1	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)
<b>Statement of Model Program Essential Element Deficiency:</b>	
Type of Program Deficiency	Part G – C.4.c.
Brief Description of Program Deficiency	A data accuracy issue was identified for some FY 2023 new hires who completed their SF-181 and SF-256 forms using the USAStaffing Onboarding Module (implemented in July 2022) which impacts the workforce data tables. Data errors identified throughout FY 2024 and additional monitoring is needed.
<b>Objective(s) and Dates for EEO Plan:</b>	
Objective	100% data accuracy for new hires who submit their demographics forms (e.g., SF-181 and/or SF-256 forms)
Date Initiated (mm/dd/yyyy)	10/24/2023
Target Date (mm/dd/yyyy)	09/30/2024
Modified Date (mm/dd/yyyy)	09/30/2025
Date Completed (mm/dd/yyyy)	Not yet completed.
<b>Responsible Official(s):</b>	
Title	Acting Chief Human Capital Officer, Office of Human Capital
Name	Adam Martinez

Performance Standards

Address the Plan? (Yes or No) Yes

**Planned Activities Toward Completion of Objective:**

Target Date (mm/dd/yyyy) 09/30/2026

Planned Activities

Monitoring Process:

- OHC will timely audit (e.g., monthly or quarterly) all FY 2025 new hires to ensure quality data entry for ethnicity/race and disability data.
- OHC will notify BFS of any discrepancies found and ensure timely correction in relevant systems.
- OHC will notify the Office of Civil Rights (OCR) of any discrepancies found.

Sufficient Funding and Staffing (Yes or No) Yes

Modified Date (mm/dd/yyyy) 09/30/2025

Completion Date (mm/dd/yyyy) Not yet completed.

**Report of Accomplishments:**

Fiscal Year 2024

Accomplishments

OCR audited FY 2024 new hire records until OHC identified a person to do this quality control work in FY 2024 Q4 going forward. Data errors identified were raised with OHC and the Bureau of the Fiscal Service (OHC's third-party) to correct the demographics data of FY 2024 new hires based on their submitted new hire forms prior to creating the FY 2024 MD-715 tables.

OHC modified employee email notifications and New Employee Orientation (NEO) content to request submission of the SF-181 (ethnicity and race) and SF-256 (disability) forms on the first day of employment and to follow-up with the employee if not submitted by the second day.

The Office of Human Capital followed additional process changes to follow-up with individuals who did not submit their forms. OHC's third-party processing staff notified OHC

EEOC Form 715-01 Part H-  
1

U.S. Equal Employment Opportunity Commission  
Federal Agency Annual EEO Program Status Report (FY 2024)

personnel if a form was missing and manually checked the documents to ensure accurate processing.

Process improvements to modify our HR systems to improve automation were researched but not feasible at this time.

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## H.2. Action Plan - ADR Participation Rate

**TABLE 4:** FY 2024 EEOC MD-715 REPORT PART H-2

EEOC Form 715-01 Part H-2	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)
<b>Statement of Model Program Essential Element Deficiency:</b>	
Type of Program Deficiency	ADR Participation Rate
Brief Description of Program Deficiency	ADR Participation Rate, as defined by the EEOC, during the pre-complaint stage did not achieve the EEOC's goal of 50% in FY 2023
<b>Objective(s) and Dates for EEO Plan:</b>	
Objective	Increase ADR participation rates during the informal stage.
Date Initiated (mm/dd/yyyy)	10/01/2023
Target Date (mm/dd/yyyy)	09/30/2024
Modified Date (mm/dd/yyyy)	N/A
Date Completed (mm/dd/yyyy)	09/30/2024
<b>Responsible Official(s):</b>	
Title	Director, Office of Civil Rights Deputy Director, Office of Civil Rights EEO Complaints Manager, Office of Civil Rights
Name	Melissa Brand Lori Grant Megumi Fujita
Performance Standards Address the Plan? (Yes or No)	Yes
<b>Planned Activities Toward Completion of Objective:</b>	
Target Date (mm/dd/yyyy)	09/30/2024
Planned Activities	Goal exceeded – closing out action plan

EEOC Form 715-01 Part H-2	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)
Sufficient Funding and Staffing (Yes or No)	Yes
Modified Date (mm/dd/yyyy)	N/A
Completion Date (mm/dd/yyyy)	09/30/2024
<b>Report of Accomplishments:</b>	
Fiscal Year	2024
Accomplishments	<p>Achieved an informal EEO complaint ADR participation rate of 61 percent.</p> <p>On December 9, 2023, OCR hired a full-time EEO Complaints Manager, who has audited the EEO process, including reviewing for patterns identified from Counseling stage that provide insights into ADR Program uptake.</p> <p>On July 1, 2024, OCR hired a full-time Dispute Prevention and Resolution Advisor to assist with ADR Outreach and the mediation process. (In February 2025, this position became vacant again.)</p>

## H.3. Action Plan - Anti-Harassment Data

**TABLE 5:** FY 2024 EEOC MD-715 REPORT PART H-3

EEOC Form 715-01 Part H-3	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)
<b>Statement of Model Program Essential Element Deficiency:</b>	
Type of Program Deficiency	Part G – E.4.a.6, C.2.a.5 and B.4.a.9
Brief Description of Program Deficiency	Data integrity is not consistent in the case management tool to ensure complaints for the anti-harassment/anti-bullying program are accurately collected and monitored in order to be analyzed, to include validating that the agency is conducting a prompt inquiry (beginning within 10 days of notification) of all harassment allegations. Additionally, there was a large increase



EEOC Form 715-01 Part H-3

U.S. Equal Employment Opportunity Commission  
Federal Agency Annual EEO Program Status Report (FY 2024)

in the number of allegations received by the harassment and bullying program in FY 2024 compared with FY 2023 without enough resources to support the program.

**Objective(s) and Dates for EEO Plan:**

Objective	Consistent and timely data for anti-harassment program complaints and enough resources to support the program.
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Date Initiated (mm/dd/yyyy)	10/01/2023
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Target Date (mm/dd/yyyy)	09/30/2024
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Modified Date (mm/dd/yyyy)	09/30/2025
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Date Completed (mm/dd/yyyy)	Not yet completed.
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**Responsible Official(s):**

Title	Acting Chief Human Capital Officer, Office of Human Capital Employee Relations Director
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Name	Adam Martinez Liza Strong
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Performance Standards Address the Plan? (Yes or No)	Yes
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**Planned Activities Toward Completion of Objective:**

Target Date (mm/dd/yyyy)	09/30/2024
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Planned Activities	<ul style="list-style-type: none"><li>CFPB's Office of Human Capital (OHC) will audit Anti-Harassment/Anti-Bullying (AHAB) past, current, and future cases to ensure all complaints are received and documented in the case management tool. Allegations that rise to the level of harassment/bullying will be documented and an investigative summary will be forwarded to the deciding official and documented in the case management tool. All cases will be completed in a timely manner. For those cases that are determined not rise to the level of harassment/bullying, a close out memo, which includes why it wasn't investigated and specific actions taken to make this determination will be entered into the case management tool.</li><li>OHC will ensure the data is collected and recorded accurately in order to calculate and provide the number of days from notification, including those initially raised in the EEO</li></ul>
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Program, to inquiry in accordance with EEOC guidance and case law. OHC will provide the case level data and the percentage of timely processed inquiries to OCR for this annual report.

- OHC will utilize the outcome field to provide consistent and complete information about whether an investigation was conducted, why one was or wasn't conducted and how the result of the case was determined. OHC will ensure this field and other relevant fields are accurately and fully filled out for past, present and future cases.
- OHC will ensure the type of Harassment field is completed to indicate if harassment, bullying and/or specific protected bases were alleged.
- OHC will ensure all available and accessible historical anti-harassment program data is entered into the required fields in case management tool, including the bases (or "other" if no bases), issues, individual alleging harassment/bullying, and the individual alleged to have conducted harassment/bullying.
- OHC will continue to use the case management job aid to ensure consistency amongst Specialists.
- OHC will update the case management job aid as needed to ensure all data elements are included.
- OHC will develop reports to regularly monitor data for accuracy, completeness, and timely entry.
- OHC will work with the vendor to improve the Advanced Search to generate all characters entered in the Case Description and Outcome fields to appear and be exportable.
- OHC will work with the vendor, as needed, to add or amend fields to improve case management and reporting.
- OHC will work with the OHC-Systems team to ensure there is funding for any training and/or updates needed by the vendor.
- OHC will work with the appropriate senior leaders to request resources needed (i.e., personnel, contract support) to ensure adequate resources are available to support the program.
- OHC and OCR will attend the EEOC's free technical training on having a compliant Anti-Harassment Program and make improvements to the program based on recommendations received and best practices learned.

Sufficient Funding and Staffing (Yes or No)

No

Modified Date (mm/dd/yyyy)

09/30/2025

Completion Date (mm/dd/yyyy)

Not yet completed.

**Report of Accomplishments:**

Fiscal Year	2024
Accomplishments	<ul style="list-style-type: none"><li>✓ OHC worked with the OHC-Systems team to audit cases and fill in missing case information in the case management tool.</li><li>✓ OHC collaborated with the OHC-Systems team to create a dashboard for reporting and monitoring anti-harassment/anti-bullying data.</li><li>✓ Anti-Harassment Program Managers completed an anti-harassment training course.</li><li>✓ OHC Director for Employee Relations and AHAB Program was permanently filled.</li><li>✓ A permanent Management Analyst started on the Anti-Harassment/Anti-Bullying team to support data monitoring in the case management tool and assist with standard operating procedures, policies and job aids for the team.</li><li>✓ The lack of AHAB resources was added to the 2025 Risk Profile managed by the Chief Risk Officer.</li></ul>

## H.4. Action Plan – Organizational Chart

**TABLE 6:** FY 2024 EEOC MD-715 REPORT PART H-4

EEOC Form 715-01 Part H-4	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)
<b>Statement of Model Program Essential Element Deficiency:</b>	
Type of Program Deficiency	Part G – B.1.a.2
Brief Description of Program Deficiency	The CFPB organizational chart on the external website does not clearly define the reporting structure of the Office of Civil Rights. Although the chart shows OCR within the Director's Office, the chart does not clearly indicate the OCR Director reports to the CFPB Director.
<b>Objective(s) and Dates for EEO Plan:</b>	
Objective	The CFPB organizational chart on the external website clearly shows the OCR Director reports to the CFPB Director.
Date Initiated (mm/dd/yyyy)	10/01/2024
Target Date (mm/dd/yyyy)	09/30/2025
Modified Date (mm/dd/yyyy)	N/A
Date Completed (mm/dd/yyyy)	Not yet completed.
<b>Responsible Official(s):</b>	
Title	Deputy Chief of Staff Director, Office of Civil Rights
Name	Jocelyn Sutton Melissa Brand
Performance Standards Address the Plan? (Yes or No)	No
<b>Planned Activities Toward Completion of Objective:</b>	
Target Date (mm/dd/yyyy)	06/30/2025
Planned Activities	<ul style="list-style-type: none"> <li>The OCR Director will reraise the non-compliant CFPB organizational chart on the external website with the Deputy</li> </ul>

EEOC Form 715-01 Part H-4	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024) Chief of Staff. <ul style="list-style-type: none"> <li>The Deputy Chief of Staff or designee will seek approval from the CFPB Director to update the organizational chart on the external website to be compliant with the Elijah E. Cummings Act showing that the OCR Director reports to the CFPB Director.</li> <li>The Deputy Chief of Staff or designee will work with the Digital Team to post the compliant organizational chart on the external website.</li> </ul>
Sufficient Funding and Staffing (Yes or No)	Yes
Modified Date (mm/dd/yyyy)	N/A
Completion Date (mm/dd/yyyy)	Not yet completed.
<b>Report of Accomplishments:</b>	
Fiscal Year	2024
Accomplishments	New action plan for FY 2025.

# Part I – EEO plan to eliminate identified barriers

**TABLE 7:** FY 2024 EEOC MD-715 REPORT PART I-1

EEOC Form 715-01 Part I-1		U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)	
Statement of Condition That Was a Trigger for a Potential Barrier:			
Source of the Trigger		Workforce data tables for FY 2015, FY 2016, FY 2017, FY 2018; EEOC Technical Assistance Letter to CFPB (June 24, 2016); Memorandum from OPM/EEOC to Federal Agencies (Jan. 18, 2017) <sup>50</sup>	
Specific Workforce Data Table		Various A Tables	
Narrative Description of Trigger		In January 2016, the Equal Employment Opportunity Commission (EEOC) Office of Federal Operations (OFO) met with CFPB personnel to review several aspects of CFPB’s EEO program. CFPB also provided additional information in response to a request for information (RFI) from the EEOC. After reviewing all the requested information, the EEOC recommended analyses to further investigate potential issues at the Senior Levels. Additionally, in 2017, the EEOC and the Office of Personnel Management (OPM) recommended that all agencies with at least 1,000 FTEs (such as the CFPB) conduct an analysis for Grades 12 through SES (CN-52 through the Executive levels at the CFPB).	
EEO Group(s) Affected by Trigger:			
EEO Group(s)		This is not listed given E.O. 14151.	
Barrier Analysis Process:			
Sources of Data	Source Reviewed (Yes or No)	Identify Information Collected	
Workforce Data Tables	Yes	Participation rates of affected groups Bureau-wide, in Mission Critical Occupations (MCOs), by Pay-Band Level, etc.	
Complaint Data (Trends)	Yes	FY 2016/FY 2017/FY 2018 Form 462 Reports FY 2016/FY 2017/FY 2018 No FEAR Act Annual Reports	

<sup>50</sup> This memorandum is available at <https://www.eeoc.gov/federal/directives/memorandum-hispanics.cfm>.

EEOC Form 715-01 Part I-1			U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)		
Grievance Data (Trends)	Yes	CFPB Office of Human Capital Employee and Labor Relations team grievance description spreadsheet			
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	Yes	No relevant data identified to date.			
Climate Assessment Survey (e.g., FEVS)	Yes	FY 2016/FY 2017/FY 2018 Annual Employee Survey data by demographic breakdown			
Exit Interview Data	Yes	Exit survey data from FY 2016/FY 2017/FY2018			
Focus Groups	Yes	Detailed qualitative data on employee perceptions.			
Interviews	Yes	Detailed qualitative data on employee perceptions.			
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	Yes	No relevant data identified to date.			
Other (Please Describe)	Yes	Other sources of data include analyses of CFPB workforce data and applicant flow studies prepared by outside contractors.			
<b>Status of Barrier Analysis Process:</b>					
Barrier Analysis Process Completed? (Yes or No)	Yes				
Barrier(s) Identified? (Yes or No)	Yes				
Statement of Identified Barrier(s):					
Description of Policy, Procedure, or Practice	There were six challenges to equal employment opportunity previously identified. They are not listed given E.O. 14151.				
Objective(s) and Dates for EEO Plan:					
Objective	Eliminate challenges identified; review impact to assess follow-up				
Date Initiated (mm/dd/yyyy)	10/30/2018				
Target Date (mm/dd/yyyy)	09/30/2021 and ongoing				

EEOC Form 715-01 Part I-1	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)
Sufficient Funding & Staffing? (Yes or No)	Yes
Modified Date (mm/dd/yyyy)	09/30/2024
Date Completed (mm/dd/yyyy)	09/30/2024
<b>Responsible Official(s):</b>	
Title	Chief Operating Officer and Acting Chief Human Capital Officer OMWI Director OCR Director
Name	Adam Martinez Dr. Stacie Jones Melissa Brand
Performance Standards Address the Plan? (Yes or No)	No
<b>Planned Activities Toward Completion of Objective:</b>	
Target Date	N/A
Planned Activities	With this FY 2024 report, this action plan is closed out. As appropriate, future data will be reviewed.
Sufficient Funding & Staffing? (Yes or No)	Yes
Modified Date (mm/dd/yyyy)	09/30/2024
Completion Date (mm/dd/yyyy)	09/30/2024
<b>Report of Accomplishments:</b>	
Fiscal Year	2024
Here are some notable accomplishments from FY 2024:	
Accomplishments	✓ OHC collaborated with OCR and OMWI to update the career development intranet page to elevate visibility of development



programs, present unified messaging for consistency and alignment and enable and empower CFPB employees;

- ✓ OHC expanded the pilot program to a Bureau-wide offering for all permanent employees in CN-30 and CN-40, which was called CFPB Targeted Career Development Series;
  - ✓ OHC continued offering coaching program to all supervisors (regardless of grade level); and
  - ✓ OCR conducted ad hoc applicant flow analysis of vacancies with multiple selections such as the Director's Financial Analyst Program.
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**TABLE 8:** FY 2024 EEOC MD-715 REPORT PART I-2

EEOC Form 715-01 Part I-2	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)	
<b>Statement of Condition That Was a Trigger for a Potential Barrier:</b>		
Source of the Trigger	FY 2021 and FY 2022 No FEAR Act reports; FY 2019-FY 2022 personnel actions (Suspension Not-to-exceed (NTE) and Removals)	
Specific Workforce Data Table	N/A	
Narrative Description of Trigger	The No FEAR Act reports showed an increased in a particular basis and issue over time. Additionally, the issue was in the top three issues at the CFPB, but not at other financial regulatory agencies.	
<b>EEO Group(s) Affected by Trigger:</b>		
EEO Group(s)	This is not listed given E.O. 14151.	
<b>Barrier Analysis Process:</b>		
Sources of Data	Source Reviewed (Yes or No)	Identify Information Collected
Workforce Data Tables	Yes	FY 2019-FY 2022 Suspension NTE and Removal personnel actions
Complaint Data (Trends)	Yes	FY 2021 No FEAR Act data; FY 2022 No FEAR Act data
Grievance Data (Trends)	No	N/A
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	No	N/A
Climate Assessment Survey (e.g., FEVS)	Yes	2021 Annual Employee Survey
Exit Interview Data	No	N/A
Focus Groups	Yes	64 supervisory participants across nine focus groups
Interviews	Yes	Stakeholders in the Office of Human Capital and Legal Division
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	No	N/A

EEOC Form 715-01 Part I-2	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)	
Other (Please Describe)	Yes	Survey offered to all supervisors (July 26-August 9, 2023) with approximately 37% participation
<b>Status of Barrier Analysis Process:</b>		
Barrier Analysis Process Completed? (Yes or No)	No. Challenges were identified in May 2024 and the action plan was finalized to begin implementation in September 2024.	
Barrier(s) Identified? (Yes or No)	Yes	
Statement of Identified Barrier(s):		
Description of Policy, Procedure, or Practice	<ul style="list-style-type: none"> <li>▪ Procedural Barrier: Lack of standardization in the performance management process for taking negative actions.</li> <li>▪ Procedural Barrier: Lack of standardization in the misconduct process</li> <li>▪ Barrier in Practice: Lack of supervisor understanding of, adherence to, and motivation for performance management and misconduct processes</li> <li>▪ Barrier in Practice: Unsupportive culture, fear of retribution, lack of accountability at all levels.</li> </ul>	
Objective(s) and Dates for EEO Plan:		
Objective	Eliminate challenges identified; review impact to assess follow-up	
Date Initiated (mm/dd/yyyy)	10/1/2024	
Target Date (mm/dd/yyyy)	09/30/2025	
Sufficient Funding & Staffing? (Yes or No)	No	
Modified Date (mm/dd/yyyy)	N/A	
Date Completed (mm/dd/yyyy)	N/A	
<b>Responsible Official(s):</b>		
Title	Chief Operating Officer and Acting Chief Human Capital Officer OCR Director OMWI Director	
Name	Adam Martinez Melissa Brand Dr. Stacie Jones	

Performance Standards  
Address the Plan? (Yes or No) No

**Planned Activities Toward Completion of Objective:**

Target Date 09/30/2025

Work with internal stakeholders to implement action items for eliminating or mitigating identified challenges. Some of the planned activities for FY 2025 include:

**Planned Activities**

- ✓ Create/refine Standard Operating Procedures which address how Employee Relations (ER) Specialists process misconduct and performance cases.
- ✓ Create/refine Standard Operating Procedure or data entry guide which addresses how ER Specialists use the case management tool to track matters. The SOP will incorporate a quality review/monitoring process for the data.
- ✓ Create quarterly report that shows the number/types of current employee relations cases to share with leadership chain.
- ✓ Update process for centralized and dedicated deciding officials in performance and misconduct cases to ensure decisions across the CFPB are streamlined, objective and consistent.
- ✓ Request funding for training, both for ER Specialists to train managers and for job related training.
- ✓ Conduct supervisor training on performance management practices to ensure consistency in accountability.

The complete list of activities is available to the EEOC upon request.

Sufficient Funding & Staffing?  
(Yes or No) No

Modified Date  
(mm/dd/yyyy) N/A

Completion Date  
(mm/dd/yyyy) N/A

**Report of Accomplishments:**

EEOC Form 715-01 Part I-2	U.S. Equal Employment Opportunity Commission Federal Agency Annual EEO Program Status Report (FY 2024)
Fiscal Year	2024
Accomplishments	<p>This is a new action plan for FY 2025.</p> <p>On October 16, 2023, the OHC-Talent Management team published a Feedback Guide to complement the launch of the 2024 performance cycle. In August 2024, the Feedback Guide was updated to incorporate revisions regarding personal record keeping. This guide is available in the Leadership Portal and was provided at the Senior Leader Team supervisory all staff meeting in March 2024. It is also provided during individual manager consultations and is referenced in the Supervisory Development Seminar (SDS) training.</p>

# Part J – Special program plan for the recruitment, hiring, advancement, and retention of persons with disabilities

CFPB's related Affirmative Action Plan for applicants and employees with disabilities will be available on [www.consumerfinance.gov](http://www.consumerfinance.gov) at <https://www.consumerfinance.gov/office-civil-rights/eo-policy-and-reports/>.

# FY 2024 EEO and anti-harassment policy statement

CFPB's latest version is available here, <https://www.consumerfinance.gov/office-civil-rights/eo-policy-and-reports/>.

# FY 2024 Notice on the No FEAR Act and whistleblower protection laws/prohibited personnel practices

CFPB's latest version is available here, <https://www.consumerfinance.gov/office-civil-rights/whistleblowers/>.