

Federal Election Commission



2021 Notification and Federal Employee Anti-discrimination and Retaliation Act (No FEAR Report) to Congress

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I. Executive Summary

The Federal Election Commission (FEC or Commission) was established by Congress in 1975 as an independent regulatory agency responsible for administering and enforcing the Federal Election Campaign Act (FECA). Under the authority of this statute, which governs the financing of federal elections, the FEC is responsible for ensuring: “The disclosure of campaign finance information, enforcement of provisions of the FECA such as limits and prohibitions on campaign contributions and monitoring public funding of Presidential elections.”

The Commission is made up of six members, who are appointed by the President and confirmed by the Senate. Each member serves a six-year term and two seats are subject to appointment every two years. By law, no more than three Commissioners can be members of the same political party, and at least four votes are required for any official Commission action. This structure was created to encourage nonpartisan decisions. The Chair of the Commission is a rotating position, filled through election by the Commission members each year.

During fiscal year (FY) 2021, the FEC had no cases that resulted in a judgment, award or compromised settlement. There were zero (0) equal employment opportunity (EEO) administrative complaint filed against the FEC during FY 2021. There were no civil actions against the FEC for bases or issues covered under the anti-discrimination statutes or the Whistleblower Protection laws. There was no reimbursement to the Judgment Fund and zero (0) disciplinary actions against any FEC employee for violations of the Anti-discrimination and/or Whistleblower Protection laws.

II. Introduction

The FEC is providing this Annual Report to Congress as required by The Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020 (Cummings Act) which became law on January 1, 2021. The law amends the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (“No FEAR Act”), Public Law 107-174.

The No FEAR Act as amended as the Cummings Act requires Federal agencies to submit annual reports to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Attorney General, the U.S. Office of Personnel Management and the Equal Employment Opportunity Commission. This report is submitted by the FEC to satisfy this reporting requirement.

III. Background

The No FEAR Act was signed into law by President George W. Bush on May 15, 2002, and became effective on October 1, 2003, and was amended by the Cummings Act of 2020. The Act requires Federal agencies to be accountable for violations of anti-discrimination and whistleblower protection laws and to post certain statistical data relating to Federal sector EEO complaints filed with the agency.

Section 203 of the No FEAR Act requires that each Federal agency submit an Annual Report to Congress not later than 180 days after the end of each fiscal year. Agencies must report on:

- the number of Federal district court cases arising under each of the respective areas of law specified in the Act in which discrimination was alleged
- the status or disposition of cases
- the amount of money required to be reimbursed
- the number of employees disciplined
- any policies implemented related to appropriate disciplinary actions against a federal employee who discriminated against an individual, or committed a prohibited personnel practice; and
- an analysis of the data collected with respect to trends and causal analysis.

The President delegated responsibility to the U.S. Office of Personnel Management (OPM) for the issuance of regulations governing implementation of Title II of the No FEAR Act. OPM published final regulations on May 10, 2006, concerning the reimbursement provisions of the Act and on July 29, 2006, published final regulations to carry out the notification and training requirements of the Act. OPM also issued proposed regulations to implement the reporting and best practices provisions of the No FEAR Act on January 25, 2006. The FEC has prepared this Report based on § 203 of the No FEAR Act along with the proposed and final regulations issued by OPM.

IV. Data

During (FY) 2021, the FEC had no cases that resulted in a judgment, award or compromised settlement and there were zero (0) administrative complaints filed against the agency. Among administrative cases filed to date, none have resulted in a finding of discrimination. Zero (0) employees were disciplined for discrimination, retaliation, harassment or other infractions or provisions of law cited in Section 201(c) of the No FEAR Act.

Civil Cases

Section 203(a)(1) of the No FEAR Act requires that agencies include in their Annual Report to Congress “the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged.” Section 724.302 of the Code of Federal Regulations (effective February 26, 2007) clarifies section 203(a)(1) of the No FEAR Act, stating that the agencies report on the “number of cases in Federal Court pending or resolved ... arising under each of the respective provisions of the Federal anti-discrimination laws and whistleblower protection laws.” The FEC reports that during FY 2021, there were zero (0) Federal district court discrimination cases resulting in a payment from the Judgment Fund. Subsequently, there were no district court cases for which the Judgment Fund paid monies on behalf of the FEC for retaliation under the Whistleblower Protection Act.

Reimbursement to the Judgment Fund

OPM published interim final regulations in the Federal Register on January 22, 2004, and final regulations on May 10, 2006, to clarify the agency's reimbursement provision of Title II of the No FEAR Act. These regulations, among other things, state that the Financial Management Service (FMS), U.S. Department of the Treasury, will provide notice to an agency's Chief Financial Officer within 15 business days after payment from the Judgment Fund. The agency is required to reimburse the Judgment Fund within 45 business days after receiving the notice from the FMS or must contact the FMS to make arrangements in writing for reimbursement.

As indicated, the FEC had no civil action resulting from a reportable statute that resulted in payment which is required to be reimbursed to the Treasury Judgment Fund for monies owed to the Judgment Fund for judgments, awards and/or compromised settlements for FY 2021.

Disciplinary Actions

Section 203(a)(4) of the No FEAR Act requires that agencies include in the Annual Report to Congress "the number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1)." Section 203(a)(1) requires that agencies report "the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged." 5 C.F.R. § 724.302 (effective February 26, 2007) provides that these cases refer to the number of discrimination cases for which the Judgment Fund paid on behalf of the agency. The proposed regulations also define disciplinary actions to include any one or a combination of the following actions: reprimands, suspensions without pay, reduction in grade or pay, or removal. (See 5 C.F.R. § 724.102)

The FEC had zero (0) disciplinary actions arising from a federal district court discrimination case during FY 2021.

Final Year-End Data Posted Under Section 301(c)(1)(B)

Appendix 2 contains the FY 2021 final year-end data posted pursuant to Section 301(c)(1)(B) of the No FEAR Act.¹ The final year-end data indicates that during FY 2021, there were (0) complaints of discrimination.

Policy Description on Disciplinary Actions

Sections 203 (a)(6) of the No FEAR Act requires that agencies include in their Annual Reports to Congress a detailed description of the policy implemented by the agency relating to disciplinary actions imposed against a Federal employee who discriminated against any individual in violation of any of the laws cited under section 201 (a)(1) or (2), or committed another prohibited personnel practice that was revealed in the investigation of a complaint alleging a violation of any of the laws cited under the section 201 (a)(1) or (2). Further, the Act requires that with respect to each such law, the Federal agency report on the number of employees who

¹ This includes data for each of the five (5) immediately preceding fiscal years.

were disciplined in accordance with such policy and the specific nature of the disciplinary action taken.

The FEC does not have a table of penalties for disciplinary actions. When disciplinary action is taken against an employee, the proposed penalty is based on an assessment of the reasonableness of that penalty in view of other actions that have previously been taken with respect to similarly situated employees. The agency does not have a separate disciplinary policy that specifically addresses employees found to have committed discrimination. The agency's general policy for taking disciplinary actions with respect to any non-bargaining unit employee is set forth in Personnel Instruction 752.1. (progressive discipline). During 2021, the FEC Chair issued the agency's EEO Policy Statement (**See Appendix 3**), as she/he does annually, which communicates the agency's commitment for equal employment opportunity and a workplace free of discriminatory harassment for all employees and applicants for employment.

V. Analysis of Trends, Causal Analysis and Practical Knowledge Gained Through Experience

Section 203(a)(7) of the No FEAR Act requires that agencies undertake an examination of trends, causal analysis and practical knowledge gained through experience, as well as any actions planned or taken to improve complaint or civil rights programs for the agency. The FEC has examined its complaint statistics contained in the information reported to EEOC. The FEC had zero (0) Federal district court cases resulting in judgments, awards or compromised settlements paid by the Judgment Fund.

A. Trend Analysis

During FY 2021, the number of employees filing EEO complaints were zero (0) which is down from the previous fiscal year FY 2020 where we had one (1) complaint. The FEC had zero (0) findings of violations of the anti-discrimination or whistleblower protection laws. No employees were disciplined for discrimination, retaliation, harassment, or any provision of law referred to in the No FEAR Act.

B. Causal Analysis

The Office of Equal Employment Opportunity is continuing to conduct a causal analysis of the deficiency of diversity within certain Race/National Origin (RNO) categories (more specifically the lack of diversity represented within the GS-15 and Senior level staff positions). Over the past three years (**FY 2019-FY 2021**) the FEC has made improvements concerning the number of minority applicants selected for internal competitive promotions at the GS-15 level but additional measures need to be implemented at the Senior level, as zero minorities have been promoted in this area over the past three years and only one minority occupies a permanent Senior level position at the Commission.

The total number of internal competitive promotions at the GS-15 level totaled eight (8) in FY 2019; 25% or two (2) selections were Hispanic, 50% or four (4) selections were White, 12.5% or

one (1) selection was African American and 12.5% or one (1) selection was Asian. In FY 2020, the total number of internal competitive promotions at the GS-15 level totaled five (5); 40% or two (2) selections were White, 40% or two (2) selections were African American and 20% or one (1) selection was Asian. In FY 2021, the total number of internal competitive promotions at the GS-15 level totaled eight (8); 50% or four (4) selections were White, 12.5 % or one (1) selection was African American and 37.5% or three (3) selections were Asian. **(See Appendix 4)**

The total number of internal competitive promotions at the Senior level over the past three fiscal years (FY 2019- 2021) was five (5). Three Senior level promotions were made in FY 2019 and two were made in FY 2021. Zero (0) minority employees were selected for an internal promotion at the Senior level during the past three fiscal years. **(See Appendix 5)**

The FEC EEO Office is currently undergoing an in-depth barrier analysis for the FEC Annual EEO Management Directive 715 (MD-715) report. The MD-715 report is mandated by all federal agencies to ensure that all employees and applicants for employment enjoy equality of opportunity in the federal workplace regardless of race, sex, national origin, color, religion, age, genetic information, disability, or reprisal for engaging in prior protected activity. Some of the barriers for advancement within the agency appear to be a lack of a cohesive agency-wide recruitment plan that targets persons with a disability/persons with a targeted disability, the lack of a formalized mentorship program throughout the agency which will identify talented minority employees for senior level positions, the lack of equity in training and development opportunities for staff and outdated agency policies and procedures---particularly in the area of details/internal promotions not to exceed 120 days. The EEO Office will work in collaboration with the Diversity, Equity, and Inclusion (DE&I) Council and Senior management officials to identify and evaluate workplace policies, procedures or practices that are contributing to the lack of diversity at the GS-15 and Senior levels of the agency so that they can be addressed and/or eliminated. The DE&I Council was created by staff to provide advice and recommendations to all levels of agency leadership, raise significant issues affecting staff such as internal promotions, hiring, awards/recognition, training and compensation, and influence DE&I decisions with Senior-level management officials and communicate these issues and decisions to the agency.

The EEO Office plans to continue to monitor agency provided data annually, make appropriate recommendations to FEC management, and collaborate on solutions so that these (and any other triggers which are found to exist) can be addressed before they become barriers to employment opportunities.

C. Practical Knowledge Gained Through Experience

See Part VII for the specific actions the FEC has planned or already taken to improve the EEO complaints process. The FEC is committed to ensuring compliance with our nation's EEO and Civil Rights laws and maintaining a work environment where discrimination, retaliation, and harassment are not tolerated.

VI. Adjustment to Budget

Section 203(a)(8) of the No FEAR Act requires that agencies include in their Annual Report to Congress information about “any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under Section 201.” The FEC did not make such an adjustment.

VII. FEC Actions Planned or Taken to Improve Complaint and Civil Rights Programs

The FEC plans to take (or has taken) the following actions:

1. Continue to provide Diversity, Equity, and Inclusion training workshops for FEC management and staff so that the agency can continue to increase the recruitment, hiring, and promotions of under-represented groups.
2. The EEO Office will continue to utilize and/or promote the Computer Accommodation Program (CAP), the Job Accommodation Network (JAN), Employer Assistance and Resource Network on Disability Inclusion (EARN), and other appropriate resources to ensure that employees with disabling conditions can enjoy all benefits of employment.
3. Continue to work in collaboration with the Diversity, Equity, and Inclusion Council (DE&I) and Senior management to implement President Biden’s Executive Orders regarding diversity, equity, inclusion and accessibility in the federal government, as applicable.
4. Collaborate with the Office of Human Resources to expand agency outreach and recruitment efforts to reach qualified applicants from the agency's underrepresented groups--most urgently, Hispanics/Latinos, American Indians and Individuals with Disabilities and Targeted Disabilities.
5. The EEO Office will continue to present findings from our barrier analysis to Senior management that will identify root causes that need to be addressed by the agency to improve the recruitment, retention, and career advancement of minorities employed at the FEC.
6. The EEO Office will increase collaborative efforts with agency Senior managers to identify triggers/barriers that may be impeding the realization of equal employment opportunities and help develop and appropriate action plans to eliminate barriers and ensure that actions plans are successfully implemented.

Appendix 1

(Appendix 1)

Notification and Federal Employee Anti-discrimination and Retaliation (No FEAR) Act

Accomplishments Update

This Appendix highlights the FEC's accomplishments in implementing the No FEAR Act (also referred to as "the Act") during Fiscal Year (FY) 2021. The FEC has pursued the requirements of this important legislation as indicated in the actions highlighted below:

1. EEO Office staff continued to educate employees about the agency's Accommodation Program and facilitated numerous accommodations for staff who made requests and engaged in the interactive process. A further understanding of the Accommodation Program's benefits to staff has prompted management to expand flexibilities in medical telework-- an adjacent non-EEO agency program.
2. The FEC provided interpretive services (sign language) to employees with targeted disabilities.
3. FEC Senior Management began to coordinate with the following newly established employee-driven entities in some areas of its decision making:
 - a. **The Engagement Steering Committee (ESC)** –the ESC Committee is committed to improving the agency work environment/culture and the relationships between agency management and employees.
 - b. **The Diversity, Equity, and Inclusion (DE&I) Council** – the DE&I Council is focused on creating a more inclusive work environment and ensuring equitable outcomes are achievable for all employees. The DE&I Council strategic plan was finalized during this fiscal year. (See Appendix 6)
4. Highlighted Special Emphasis Months with articles and current events for staff to participate in during African American Heritage Month (February), Women's History Month (March), Asian American Heritage Month (May), Hispanic Heritage Month (September/October), and American Indian Heritage Month (November).
5. The EEO Office hosted an agency wide conversation/training on "Building a Better You" which was designed to encourage interpersonal growth by teaching staff how to establish and maintain personal networks.
6. The EEO Office hosted an agency wide conversation/training on "Achieving Equitable Outcomes in the Federal Workplace as We Transition Back into the Office" which was designed to promote mutual respect among staff and sensitivity to other perspectives as agency personnel began to return to the physical workplace.

Appendix 2

(Appendix 2)

Equal Employment Opportunity Data Pursuant to the No FEAR Act

FEC No FEAR 2021 FY Totals

| Number of | 2021 FY Totals |
|------------------|-------------------|
| Complaints | 0 |
| Filers | 0 |
| Repeat Filers | 0 |

| Bases | 2021 FY Totals |
|--------------------|-------------------|
| Sex | 0 |
| Age | 0 |
| Race | 0 |
| Color | 0 |
| Disability | 0 |
| National Origin | 0 |
| Religion | 0 |
| Reprisal | 0 |

| Issues (Claims) | 2021 FY Totals |
|---------------------------------|-------------------|
| Appointment/Hire | 0 |
| Assignment of Duties | 0 |
| Awards | 0 |
| Conversion to Full Time | 0 |
| Disciplinary Action | 0 |
| 1. Demotion | 0 |
| 2. Reprimand | 0 |
| 3. Suspension | 0 |
| 4. Removal | 0 |
| Duty Hours | 0 |
| Evaluation/Appraisal | 0 |
| Examination/Test | 0 |
| Harassment/Sexual Harassment | 0 |
| Harassment/Non- Sexual | 0 |

| | |
|--------------------------------|---|
| Medical Exam | 0 |
| Pay (including overtime) | 0 |
| Promotion/Non-Selection | 0 |
| Reassignment | 0 |
| 1. Denied | 0 |
| 2. Directed | 0 |
| Reasonable Accommodation | 0 |
| Reinstatement | 0 |
| Retirement | 0 |
| Termination | 0 |
| Terms/Conditions of Employment | 0 |
| Time and Attendance | 0 |
| Training | 0 |
| Other | 0 |

| Processing Time (Days) | 2021 FY Totals |
|------------------------|----------------|
| Investigations | 0 |
| Final Agency Decision | 0 |
| All | 0 |
| With Hearing | 0 |
| Without Hearing | 0 |

| Dismissals | 2021 FY Totals |
|---------------------------------|----------------|
| Number of Dismissals | 0 |
| Days pending prior to Dismissal | 0 |

| Findings of Discrimination | 2021 FY Totals |
|----------------------------|----------------|
| All | 0 |
| With Hearing | 0 |
| Without Hearing | 0 |

| Bases- Findings of Discrimination | 2021 FY Totals |
|---|-------------------|
| Sex | 0 |
| Age | 0 |
| Race | 0 |
| Color | 0 |
| Disability | 0 |
| National Origin | 0 |
| Religion | 0 |
| Reprisal | 0 |

| Bases-Findings of Discrimination- Without Hearing | 2021 FY Totals |
|---|-------------------|
| Sex | 0 |
| Age | 0 |
| Race | 0 |
| Color | 0 |
| Disability | 0 |
| National Origin | 0 |
| Religion | 0 |
| Reprisal | 0 |

| Issues Findings of Discrimination | 2021 FY Totals |
|--------------------------------------|-------------------|
| Appointment/Hire | 0 |
| Assignment of Duties | 0 |
| Awards | 0 |
| Conversion to Fulltime | 0 |
| Disciplinary Action | 0 |
| 1. Demotion | 0 |
| 2. Reprimand | 0 |
| 3. Suspension | 0 |
| 4. Removal | 0 |
| Duty Hours | 0 |
| Harassment/ Sexual | 0 |

| | |
|--------------------------------|---|
| Harassment/Non-Sexual | 0 |
| Evaluation/Appraisal | 0 |
| Examination/Test | 0 |
| Medical Exam | 0 |
| Pay, Including Overtime | 0 |
| Promotion/Non-Selection | 0 |
| Reassignment | 0 |
| 1. Denied | 0 |
| 2. Directed | 0 |
| Reasonable Accommodation | 0 |
| Reinstatement | 0 |
| Retirement | 0 |
| Termination | 0 |
| Terms/Conditions of Employment | 0 |
| Time and Attendance | 0 |
| Training | 0 |
| Other | 0 |

| Findings of Discrimination-Without Hearing | 2021 FY Totals |
|--|----------------|
| Appointment/Hire | 0 |
| Assignment of Duties | 0 |
| Awards | 0 |
| Conversion to Fulltime | 0 |
| Disciplinary Action | 0 |
| 1. Demotion | 0 |
| 2. Reprimand | 0 |
| 3. Suspension | 0 |
| 4. Removal | 0 |
| Evaluation/Appraisal | 0 |
| Examination/Appraisal | 0 |
| Harassment/Sexual | 0 |
| Harassment/Non-Sexual | 0 |
| Medical Exam | 0 |
| Pay including overtime | 0 |

| | |
|--------------------------------|---|
| Promotion/Non-Selection | 0 |
| Reassignment | 0 |
| 1. Denied | 0 |
| 2. Directed | 0 |
| Reasonable Accommodation | 0 |
| Reinstatement | 0 |
| Retirement | 0 |
| Terms/Conditions of Employment | 0 |
| Time and Attendance | 0 |
| Training | 0 |
| Other | 0 |

| Issue-Findings of Discrimination – With Hearing | 2021 FY Totals |
|---|----------------|
| Appointment/Hire | 0 |
| Assignment of Duties | 0 |
| Awards | 0 |
| Conversion to Fulltime | 0 |
| Disciplinary Action | 0 |
| 1. Demotion | 0 |
| 2. Reprimand | 0 |
| 3. Suspension | 0 |
| 4. Removal | 0 |
| Duty Hours | 0 |
| Evaluation/Appraisal | 0 |
| Examination/Test | 0 |
| Harassment/Sexual | 0 |
| Harassment/Non-Sexual | 0 |
| Non-Sexual | 0 |
| Medical Examination | 0 |
| Pay, Including Overtime | 0 |
| Promotion/Non-Selection | 0 |
| Reassignment | 0 |
| 1. Denied | 0 |
| 2. Directed | 0 |

| | |
|--------------------------------|---|
| Reasonable Accommodation | 0 |
| Reinstatement | 0 |
| Retirement | 0 |
| Termination | 0 |
| Terms/Conditions of Employment | 0 |
| Time and Attendance | 0 |
| Training | 0 |
| Other | 0 |

Data Posted Pursuant to the No Fear Act Federal Election Commission

| 29 CFR 1614.704(a) - (c) | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | |
|--|-----------------------|---|------|------|------|------|
| Complaint Activity | 4th QTR FY 2021 | 2020 | 2019 | 2018 | 2017 | 2016 |
| Number of Complaints Filed in FY 1614.704(a) | 0 | 1 | 0 | 1 | 1 | 1 |
| Number of Complainants 1614.704(b) | 0 | 1 | 0 | 1 | 1 | 1 |
| Repeat Filers 1614.704(c) | 0 | 0 | 0 | 0 | 0 | 0 |

| 29 CFR 1614.704(d) | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | |
|---|-----------------------|---|------|------|------|------|
| Complaints by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> | 4th QTR FY 2021 | 2020 | 2019 | 2018 | 2017 | 2016 |
| Race | 0 | 1 | 0 | 0 | 1 | 1 |
| Color | 0 | 0 | 0 | 0 | 1 | 0 |
| Religion | 0 | 0 | 0 | 0 | 0 | 0 |
| National Origin | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex (including complaints filed under Equal Pay Act) | 0 | 1 | 0 | 0 | 0 | 0 |
| Disability | 0 | 0 | 0 | 1 | 0 | 0 |
| Age | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprisal | 0 | 1 | 0 | 1 | 1 | 1 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 |

Data Posted Pursuant to the No Fear Act Federal Election Commission

| 29 CFR 1614.704(e) | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | |
|---|-----------------------|---|------|------|------|------|
| Complaints by Issue <i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i> | 4th QTR FY 2021 | 2020 | 2019 | 2018 | 2017 | 2016 |
| Appointment/Hire | 0 | 0 | 0 | 0 | 0 | 0 |
| Assignment of Duties | 0 | 0 | 0 | 0 | 0 | 0 |
| Awards | 0 | 0 | 0 | 0 | 0 | 0 |
| Conversion to Full-time | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | | | | | | |
| Demotion | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprimand | 0 | 0 | 0 | 0 | 0 | 0 |
| Suspension | 0 | 0 | 0 | 0 | 0 | 0 |
| Removal | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 |
| Duty Hours | 0 | 0 | 0 | 0 | 0 | 0 |
| Evaluation Appraisal | 0 | 0 | 0 | 1 | 1 | 1 |
| Examination/Test | 0 | 0 | 0 | 0 | 0 | 0 |
| Harassment | | | | | | |
| Non-Sexual | 0 | 0 | 0 | 0 | 0 | 0 |
| Sexual | 0 | 0 | 0 | 0 | 0 | 0 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 |
| Pay (Including Overtime) | 0 | 0 | 0 | 0 | 0 | 0 |
| Promotion/Non-Selection | 0 | 1 | 0 | 0 | 0 | 0 |
| | | | | | | |
| Denied | 0 | 0 | 0 | 0 | 0 | 0 |
| Directed | 0 | 0 | 0 | 0 | 0 | 0 |
| Reasonable Accommodation | 0 | 0 | 0 | 1 | 1 | 1 |
| Reinstatement | 0 | 0 | 0 | 0 | 0 | 0 |

Data Posted Pursuant to the No Fear Act Federal Election Commission

| | | | | | | |
|--------------------------------|---|---|---|---|---|---|
| Retirement | 0 | 0 | 0 | 0 | 0 | 0 |
| Termination | 0 | 0 | 0 | 1 | 0 | 0 |
| Terms/Conditions of Employment | 0 | 0 | 0 | 0 | 0 | 0 |
| Time and Attendance | 0 | 0 | 0 | 0 | 0 | 0 |
| Training | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 |

Data Posted Pursuant to the No Fear Act Federal Election Commission

| 29 CFR 1614.704(f) | | | |
|---|----------------|-----------------|--------------|
| Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..." (as of 09/30) | | 4th QTR FY 2021 | |
| | | Number | Average Days |
| Processing time of Investigations | 1614.704(f)(1) | 0 | 0 |
| Processing time of Final Agency Actions | | 0 | 0 |
| All complaints pending in which a Hearing was not requested | | | |
| Time in Investigation Stage | 1614.704(f)(2) | 0 | 0 |
| Time to issue Final Agency Action | | 0 | 0 |
| All complaints pending in which a Hearing was requested-1614.704(f)(3) | | | |
| Time in Investigation Stage | 1614.704(f)(3) | 0 | 0 |
| Time to issue Final Agency Action | | 0 | 0 |

| 29 CFR 1614.704(g) | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | |
|--|-----------------|---|------|------|------|------|
| Complaints Dismissed by Agency Pursuant to 1614.107(a) | 4th QTR FY 2021 | 2020 | 2019 | 2018 | 2017 | 2016 |
| Total Complaints Dismissed by Agency | 0 | 1 | 0 | 0 | 0 | 0 |
| Average days pending prior to dismissal | 0 | 39 | 0 | 0 | 0 | 0 |

| Complaints Withdrawn by Complainants Pursuant to 1614.704(h) | 4th QTR FY 2021 | 2020 | 2019 | 2018 | 2017 | 2016 |
|--|-----------------|------|------|------|------|------|
| Total number of complaints withdrawn | 0 | 0 | 0 | 1 | 0 | 1 |

Data Posted Pursuant to the No Fear Act Federal Election Commission

| 29 CFR 1614.704(i) | | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | | | | | |
|---|-----------------|---|--|---|------|---|------|---|------|---|------|
| Total Final Agency Actions Finding Discrimination | 4th QTR FY 2021 | | 2020 | | 2019 | | 2018 | | 2017 | | 2016 |
| | # | % | # | % | # | % | # | % | # | % | # |
| Total Number Findings 704(i)(1) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Without Hearing 704(i)(2) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| With Hearing 704(i)(3) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 29 CFR 1614.704(j) | | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | | | | | |
|--|-----------------|---|--|---|------|---|------|---|------|---|------|
| Finding of Discrimination Rendered by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i> | 4th QTR FY 2021 | | 2020 | | 2019 | | 2018 | | 2017 | | 2016 |
| | # | % | # | % | # | % | # | % | # | % | # |
| Total Number of Findings 704(j)(1) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Findings Rendered Without Hearing 704(j)(2) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Number Findings Rendered After Hearing 704(j)(3) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Race | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Color | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Religion | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| National Origin | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex (include Equal Pay Act) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disability | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Age | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprisal | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Data Posted Pursuant to the No Fear Act Federal Election Commission

| 29 CFR 1614.704(k) | | | | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | | | | |
|--|--|-----------------|---|------|--|------|---|------|---|------|---|------|
| Finding of Discrimination Rendered by Issue 704(k)(1) Note: Complaints can be filed alleging multiple issues. The sum of the bases may not equal total complaints and findings. | | 4th QTR FY 2021 | | 2020 | | 2019 | | 2018 | | 2017 | | 2016 |
| | | # | % | # | % | # | % | # | % | # | % | # |
| Total Number of Findings 704(k)(1) | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Findings Without Hearing 704(k)(2) | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Findings After Hearing 704(j)(k)(3) | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Appointment/Hire | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assignment of Duties | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Awards | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Conversion to Full-time | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | | | | | |
| Demotion | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprimand | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Suspension | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Removal | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Duty Hours | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Evaluation Appraisal | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Examination/Test | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | | | | | |
| Non-Sexual | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sexual | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Medical Examination | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pay (Including Overtime) | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Promotion/Non-Selection | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | | | | | |
| Denied | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Data Posted Pursuant to the No Fear Act Federal Election Commission

| | | | | | | | | | | | | |
|--------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|
| Directed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reasonable Accommodation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reinstatement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Retirement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Termination | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Terms/Conditions of Employment | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Time and Attendance | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Training | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 29 CFR 1614.704(l) | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | | |
|--|------|---|------|------|------|------|--|
| Complaints Pending From Previous Fiscal Years by Status | 2021 | 2020 | 2019 | 2018 | 2017 | 2016 | |
| Total complaints from previous Fiscal Years 704(l)(1) | 0 | 0 | 0 | 1 | 4 | 5 | |
| Total Complainants 704(l)(2)(i) | 0 | 0 | 0 | 1 | 4 | 5 | |
| Number of complaints pending (as of 09/30):704(l)(ii) | | | | | | | |
| Investigation | 0 | 0 | 0 | 0 | 0 | 0 | |
| Hearing | 0 | 0 | 0 | 0 | 0 | 0 | |
| Final Agency Action | 0 | 0 | 0 | 0 | 0 | 0 | |
| Appeal with EEOC Office of Federal Operations | 0 | 0 | 0 | 0 | 0 | 0 | |

| 29 CFR 1614.704(m) | | 29 CFR 1614.705 Comparative Data Previous Fiscal Year Data | | | | |
|--|-----------------------|---|------|------|------|------|
| Complaint Investigations | 4th QTR FY 2021 | 2020 | 2019 | 2018 | 2017 | 2016 |
| Number Pending Completion of Investigation | 0 | 0 | 0 | 0 | 0 | 0 |
| Pending Investigations Over Required Time Frames | 0 | 0 | 0 | 0 | 0 | 0 |

Appendix 3



CHAIR SHANA M. BROUSSARD
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2021 Federal Election Commission Policy Statement on Non-Discrimination and Equal Employment Opportunity

Federal Election Commission (FEC) employees and applicants for employment are protected by federal laws, Presidential Executive Orders, and state and local laws that bar discrimination on the bases of age (over 40), color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion and reprisal. These protections extend to all personnel/employment programs, management practices and decisions, including (but not limited to) recruitment and hiring practices, merit promotions, transfers, reassignments, training and career development, benefits and separations. Additional information may be found here: <https://www.eeoc.gov/federal/otherprotections.cfm>.

The Commission is firmly committed to ensuring compliance with our nation's EEO and civil rights laws and maintaining a work environment where discrimination, retaliation, and harassment are not tolerated. Further, the Commission will act to correct any harassing conduct before it becomes severe or pervasive. Managers and supervisors will be held accountable for identifying and correcting discriminatory policies, practices and behaviors and for taking prompt and appropriate action to ensure that the work environment remains free of unlawful discrimination, intimidation, reprisals and harassment.

In order to enforce these protections, as well as ensure that all employees will have the freedom to compete on a fair and level playing field, all FEC employees and applicants are expected – and encouraged – to promptly bring any concerns about discrimination, in any form, to the attention of management. Anyone who believes that she or he has been subjected to discrimination or retaliation should contact the FEC's Office of Equal Employment Opportunity at (202) 694-1228 (or at eeo@fec.gov) within 45 calendar days of the alleged discriminatory action (or in the case of a personnel action, within 45 calendar days of the effective date of the action). Employees may also wish to contact the Office of Special Counsel at (202) 254-3600 or the Merit Systems Protection Board at (202) 653-7200, as appropriate. Additionally, job applicants should visit the Office of Equal Employment Opportunity's page on the FEC's external website, under the "Career" link.

Further, anyone who files a complaint or participates in an investigation of an EEO complaint, or who opposes an employment practice made illegal under the statutes enforced by the Equal Employment Opportunity Commission (EEOC), is protected from reprisal or retaliation. Such acts against an employee who engages in protected activity, whistleblowing, or the exercise of any appeal or grievance right provided by law, will not be tolerated in our workplace – and the agency supports the rights of all employees to exercise their rights under the civil rights statutes. If any staff member feels that communication of any concerns to his or her immediate supervisor could possibly bring retaliation or negative consequences, the concerned staff member should contact another manager in his or her supervisory chain, an EEO Counselor or the EEO Director, the Inspector General (IG), or make a report through the FEC OIG Hotline Portal.

A handwritten signature in blue ink that reads "Shana M. Broussard".

Shana M. Broussard

Chair

January 27, 2021

Appendix 4

Table A11: Internal Selections for Senior Level Positions (GS 13/14, GS 15, and SES) - Distribution by Race/Ethnicity and Sex

| | Total Workforce Permanent | | | Hispanic or Latino | | RACE/ETHNICITY | | | | | | | | | | | |
|---|---------------------------|--------|---------------------------|--------------------|--------|------------------------|---|--------|----------------------------------|--------|-------------------|--------|------|--------|------|--------|----|
| | | | | | | Non-Hispanic or Latino | | | | | | | | | | | |
| | White | | Black or African American | | Asian | | Native Hawaiian or Other Pacific Islander | | American Indian or Alaska Native | | Two or More Races | | | | | | |
| All | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | |
| Job Series/Grade(s) of Vacancy: GS-13 | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 4 | 0 | 4 | 0 | 0 | 0 | 3 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 0% | 100% | 0% | 0% | 0% | 75.00% | 0% | 25.00% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: GS-14 | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 7 | 3 | 4 | 0 | 0 | 1 | 2 | 0 | 1 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 42.86% | 57.14% | 0% | 0% | 14.29% | 28.57% | 0% | 14.29% | 28.57% | 14.29% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: GS-15 | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 8 | 3 | 5 | 1 | 1 | 2 | 2 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 37.50% | 62.50% | 12.50% | 12.50% | 25.00% | 25.00% | 0% | 12.50% | 0% | 12.50% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: SES | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 3 | 2 | 1 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 66.67% | 33.33% | 0% | 0% | 66.67% | 33.33% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| "Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced. | | | | | | | | | | | | | | | | | |

Table A11: Internal Selections for Senior Level Positions (GS 13/14, GS 15, and SES) - Distribution by Race/Ethnicity and Sex

| | Total Workforce Permanent | | | Hispanic or Latino | | RACE/ETHNICITY | | | | | | | | | | | |
|---|---------------------------|--------|---------------------------|--------------------|-------|------------------------|---|--------|----------------------------------|--------|-------------------|--------|------|--------|------|--------|----|
| | | | | | | Non-Hispanic or Latino | | | | | | | | | | | |
| | White | | Black or African American | | Asian | | Native Hawaiian or Other Pacific Islander | | American Indian or Alaska Native | | Two or More Races | | | | | | |
| All | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | |
| Job Series/Grade(s) of Vacancy: GS-13 | | | | | | | | | | | | | | | | | |
| Total Applications Received | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | | | | | | | | | | | | | | | | | |
| Qualified | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | 4 | 3 | 1 | 0 | 0 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Selected | 100% | 75.00% | 25.00% | 0% | 0% | 75.00% | 25.00% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: GS-14 | | | | | | | | | | | | | | | | | |
| Total Applications Received | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | | | | | | | | | | | | | | | | | |
| Qualified | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | 10 | 6 | 4 | 0 | 0 | 2 | 3 | 3 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Selected | 100% | 60.00% | 40.00% | 0% | 0% | 20.00% | 30.00% | 30.00% | 10.00% | 10.00% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: GS-15 | | | | | | | | | | | | | | | | | |
| Total Applications Received | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | | | | | | | | | | | | | | | | | |
| Qualified | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | 5 | 2 | 3 | 0 | 0 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Selected | 100% | 40.00% | 60.00% | 0% | 0% | 20.00% | 20.00% | 20.00% | 20.00% | 0% | 20.00% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: SES | | | | | | | | | | | | | | | | | |
| Total Applications Received | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | | | | | | | | | | | | | | | | | |
| Qualified | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Selected | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| "Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced. | | | | | | | | | | | | | | | | | |

| | | RACE/ETHNICITY | |
|--|--|----------------|--|
|--|--|----------------|--|

"Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced.

Appendix 5

| RACE/ETHNICITY | |
|----------------|--|
|----------------|--|

"Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced.

RACE/ETHNICITY

"Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced

Table A11: Internal Selections for Senior Level Positions (GS 13/14, GS 15, and SES) - Distribution by Race/Ethnicity and Sex

| | Total Workforce Permanent | | | Hispanic or Latino | | Non-Hispanic or Latino | | | | | | | | | | | |
|---|---------------------------|--------|--------|--------------------|--------|------------------------|--------|---------------------------|--------|--------|--------|---|--------|----------------------------------|--------|-------------------|--------|
| | | | | | | White | | Black or African American | | Asian | | Native Hawaiian or Other Pacific Islander | | American Indian or Alaska Native | | Two or More Races | |
| | All | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female |
| Job Series/Grade(s) of Vacancy: GS-13 | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 4 | 1 | 3 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 25.00% | 75.00% | 0% | 0% | 25.00% | 50.00% | 0% | 0% | 0% | 25.00% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: GS-14 | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 4 | 3 | 1 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 75.00% | 25.00% | 0% | 0% | 25.00% | 25.00% | 25.00% | 0% | 25.00% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: GS-15 | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 8 | 2 | 6 | 0 | 0 | 1 | 3 | 1 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 25.00% | 75.00% | 0% | 0% | 12.50% | 37.50% | 12.50% | 0% | 0% | 37.50% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| Job Series/Grade(s) of Vacancy: SES | | | | | | | | | | | | | | | | | |
| Total Applications Received | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Qualified | | | | | | | | | | | | | | | | | |
| | 100% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Selected | 2 | 1 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 100% | 50.00% | 50.00% | 0% | 0% | 50.00% | 50.00% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |
| Relevant Applicant Pool | | | | | | | | | | | | | | | | | |
| "Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced. | | | | | | | | | | | | | | | | | |

Appendix 6



DIVERSITY EQUITY AND INCLUSION

2021– 2024 STRATEGIC PLAN

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MESSAGE FROM THE CHAIR



Diversity, equity, and inclusion are principles that I have long believed are essential to any organization's success. The DE&I Council, established a little over a year ago, demonstrates the Commission's commitment to these principles. This Strategic Plan is the agency's blueprint for implementing these principles into the day-to-day work of the agency.

Diversity is a fact: our workforce includes people with different backgrounds, experiences, and perspectives. But diversity is not guaranteed. As the first African American Commissioner in the Commission's near 50-year existence, who is now serving as the Chair of the agency, I believe it is important for the agency to reflect the diversity of the nation. Building and maintaining a diverse workforce will always require persistent commitment and effort by the agency.

Equity and inclusion are choices: every day our agency must choose to create an environment in which we acknowledge the diversity of our workforce, give people the tools they need to succeed, and draw on the wealth of knowledge that our different experiences and perspectives provide each of us. The very existence of the DE&I Council represents positive progress in these areas. The DE&I Council's work over the past year to develop this Strategic Plan is an important component of this work. This Strategic Plan will require that each of us hold one another accountable for ensuring that all voices are heard and considered at the agency.

As Chair, I want to thank the DE&I Council, as well as each of you who has participated in the Council's efforts in many other ways. By purposefully working together to improve our diversity, equity, and inclusivity, we will both achieve our agency's mission and make the FEC a place where all are welcomed and valued.

Sherita M. Brannard

MESSAGE FROM THE STAFF DIRECTOR



As the Staff Director for the Federal Election Commission, I am committed to supporting the work of the DE&I Council to provide a more inclusive and diverse work environment. I believe the FEC can continue to make strides to ensure we provide an environment where staff are not only delivering excellence in their work but are also respecting the diverse backgrounds and perspectives of one another. I am committed to continuing to ensure our recruiting and hiring practices adhere to DE&I principles and follow OPM's best practices. I look forward to continuing to provide training opportunities and resources for staff and maintain my commitment to strengthening and developing our diverse and high-performing workforce. When we provide inclusive training and developmental opportunities to our staff, the individual, division, and agency as a whole all benefit. Diversity, equity, and inclusion is

not just a phrase; each word speaks to distinct values and I believe that by working together to improve opportunities in these areas, we will have even more success achieving the mission of the FEC.

Alec Palmer

MESSAGE FROM THE ACTING GENERAL COUNSEL



As the Senior Leader Advisor to the Diversity, Equity, and Inclusion Council, I am committed to supporting the important mission of the Council to promote a more inclusive and diverse work environment at the FEC and in the Office of General Counsel in particular. I look forward to continuing to work with the Council and the Commission to ensure that we take actions to increase diversity and equity in the workforce, build a culture that facilitates open and inclusive engagement, and adopt initiatives to ensure that all FEC employees are able to develop their full potential as we work together in service of our common goal to protect the integrity of the Federal campaign finance process.

Lisa J. Stevenson

DIVERSITY, EQUITY, AND INCLUSION PURPOSE, VISION, MISSION, AND GUIDING PRINCIPLES

DE&I Statement of Purpose

The Diversity, Equity, and Inclusion (DE&I) Council was established in October 2020 to create a more inclusive work environment and pursue equitable outcomes for all employees. The Council was created to provide advice and recommendations to all levels of leadership, raise significant issues affecting staff such as internal promotions, hiring, awards/recognition, training, and compensation, and influence DE&I decisions with senior-level management officials and communicate these issues and decisions to the agency. Its purpose is to advocate, promote, and integrate effective DE&I practices throughout the agency and serve as a forum to discuss DE&I issues, share ideas and information, identify and model effective practices, and implement DE&I initiatives that are consistent with law, regulation, and FEC policies and procedures.

DE&I Vision

The FEC will be a model employer by leveraging diversity, ensuring equity, and fostering inclusion to create a work environment where employees' recommendations, ideas, and suggestions are valued and respected. FEC staff should be accepted and valued for their authenticity.

DE&I Mission

Our mission is to promote and integrate effective DE&I practices throughout the agency and serve as a forum to discuss DE&I issues, share ideas and information, identify and model effective practices, use innovative approaches and ideas, and implement DE&I initiatives that are consistent with law, regulation, and FEC policies and procedures.

DE&I Guiding Principles

The Council has adopted the following guiding principles to govern how Council members interact with each other.

- Listen first without judgment.
- Respect and seek out different perspectives to ensure that all voices are considered when making a decision.
- Assume positive intent and operate with integrity at all times.
- Communicate effectively and seek to be as transparent as possible.
- Willingly collaborate, engage, and include different perspectives so that innovation and creativity are maximized.
- Advocate for and give a voice to historically under-represented groups.
- Hold each other accountable for completing assigned tasks in a timely manner.

SUMMARY OF DIVERSITY, EQUITY, AND INCLUSION GOALS

Goal 1: Build a More Inclusive Workplace Culture

Ensure that leaders at all levels are committed to creating a work culture of Diversity, Equity, and Inclusion (DE&I) by taking actions to increase diversity and equity in the workforce and maintain an inclusive workplace.

Goal 2: Build and Maintain a Diverse, Equitable, and Accessible Workplace

Commit to recruiting, hiring, and developing a high-performing workforce that reflects the communities we serve by improving opportunities for all employees.

Goal 3: Build External and Internal Communities of Practice for DE&I

Encourage DE&I in FEC mission-related activities including with our external stakeholders, and foster inclusion within the campaign finance regulated community. We will also develop compelling messages, including opportunities for dialogue, that encourage all employees to see the importance of DE&I to their personal success and the success of the agency.

DE&I STRATEGIC PLAN

Strategic Goal 1: Build a More Inclusive Workplace Culture

Ensure that leaders at all levels are committed to creating a work culture of Diversity, Equity, and Inclusion (DE&I) by taking actions to increase diversity and equity in the workforce and maintain an inclusive workplace.

Objective 1: Embed DE&I in the agency Culture

1.1. Creating a more inclusive workplace:

- a. Embed DE&I Council priorities in the FEC's mission, decision making, and day-to-day operations
- b. Foster a more transparent work environment by promoting knowledge- and information-sharing between divisions
- c. Develop practices to address a perceived culture of favoritism and marginalization
- d. Support cross-division affinity groups to promote a more inclusive and engaged FEC community

1.2. Actions, Tasks, & Deliverables

- a. Integrate the DE&I Council Strategic Plan into the FEC's Strategic Agency Plan
- b. Establish a succession plan for the DE&I Council
- c. Brief the Commission and develop the Commission's message on DE&I that aligns with the agency's mission and administration goals
- d. Support appointing two members of the DE&I Council to the Equity Team to support our shared efforts of achieving the goals outlined in, for example, the Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (E.O. 13895) and DE&I Accessibility in the federal workplace (E.O. 14035)
- e. Establish dedicated funding for DE&I initiatives in the FEC budget

- f. Encourage DE&I-specific employee recognition
- g. Discuss potential initiatives in partnership with the union and other employee resources such as EEO

Objective 2: Building a culture of continuous learning and cultural competence

2.1. Continuous Learning & Cultural Competence:

- a. Increase access across divisions to training and developmental opportunities and ensure transparency to promote equitable outcomes
- b. Provide ongoing DE&I training, required for managers, to support a more inclusive and equitable workplace culture
- c. Establish a Diversity Day event to educate staff on importance of different cultures & celebrate the diversity of the FEC
- d. Encourage accessible technology development training for staff, including long-time employees and new hires

2.2. Actions, Tasks, & Deliverables

- a. Promote professional development opportunities:
 - Develop mentorship programs
 - Promote transparency in promotion and advancement opportunities for all employees, including through agency-provided career coaching
 - Coordinate with the Office of Human Resources (OHR) to examine the use of individual development plans more inclusively for all employees

- Standardize availability of training opportunities across divisions and improve transparency of decision-making around training

Objective 3: Measure progress on DE&I

3.1. Measurement Objectives:

- Define specific measures for success in implementing the DE&I Strategic Plan
- Create a communications strategy to keep managers and staff informed and inspired to support DE&I initiatives

3.2. Actions, Tasks, & Deliverables

- Engage with the FEVS for DE&I results and to address gaps in knowledge regarding DE&I
- Collaborate with the Engagement Steering Committee
- Work with OHR to formalize an exit survey process for staff leaving the agency with an emphasis on DE&I
- Work with OHR to incorporate DE&I into performance management practice

Strategic Goal 2: Build and Maintain a Diverse, Equitable, and Accessible Workplace

Commit to recruiting, hiring, and developing a high-performing workforce that reflects the communities we serve by improving opportunities for all employees.

Objective 1: Recruit a diverse pool of applicants to increase the FEC's opportunities for attracting talent

1.1. Recruitment Objective:

- a. Partner with FEC's OHR and hiring officials to develop a clearly defined program or process for increasing the hiring pool for diverse candidates and those from marginalized groups

1.2. Actions, Tasks, & Deliverables:

- a. Expand, standardize, and fund internships for diverse candidates
- b. Foster formal relationships with colleges and interest groups for applicants from underrepresented groups to learn about the agency and to increase the talent pool
 - Offer time off incentives for FEC employees attending career fairs that recruit diverse candidates
- c. Explore partnering with AmeriCorps or other programs that may expand hiring pool
- d. Explore using Schedule A Hiring Authority to increase applicants with qualified disabilities
 - Increase transparency regarding probationary period evaluation for Schedule A hires
- e. Evaluate, standardize, and improve transparency of processes regarding issues identified during hiring background checks that affect underrepresented communities

Objective 2: Create opportunities to increase diversity at all levels through hiring

2.1. Increasing diversity in hiring:

- a. Increase diversity in top leadership and mission-critical positions
- b. Ensure hiring processes and practices are inclusive, equitable, and transparent

2.2 Actions, Tasks, & Deliverables:

- a. Support requiring a DE&I Council member or representative to be involved in internal detail selection and acting position selection
- b. Promote DE&I orientation and training as part of new supervisor and management training
- c. Ensure diverse hiring and selection panels in terms of background, education, and grade level
- d. Support requiring a DE&I Council member or representative to serve on every hiring panel
 - Ensure that promoting DE&I in hiring is not seen as advocating for anything less than the "best and brightest"
 - Formalize diversity, equity, and inclusion into the recruitment process
- e. Advocate for reducing reliance on OPM's HR Solutions services to individualize hiring for the FEC's needs

Objective 3: Retain, grow, and develop the agency's employees

3.1. Retention & Professional Development:

- a. Increase the diversity of the supervisory, management, and leadership roles through employee and leadership development programs and initiatives
- b. Retain diverse talent at the agency across all levels and positions

3.2. Actions, Tasks, & Deliverables:

- a. Provide support to OHR as needed to address key issues raised by response to FEVS with respect to employee engagement and the New Inclusion Quotient
- b. Recommend expanding and standardizing DE&I-related benchmarks for evaluating manager performance and promote formal and meaningful upward reviews that are incorporated into manager performance evaluations
- c. Promote the use of inclusive language including with respect to gender, ability, English fluency, and education level; e.g., expand gender identification options in agency personnel forms to include non-binary identification, support use of plain language on website, etc.
- d. Address barriers to employees who speak different dialects and accents of English or English as a second language, including negative performance evaluation effects
- e. Raise awareness of the pay equity between new staff and career agency employees and promote standard policies across the agency
- f. Promote reimbursing professional fees such as bar dues and licensing charges, as well as loan repayment benefits

Strategic Goal 3: Build External and Internal Communities of Practice for DE&I

Encourage DE&I in FEC mission-related activities, with our external stakeholders, and foster inclusion within the campaign finance regulated community. We will also develop compelling messages, including opportunities for dialogue, that encourage all employees to see the importance of DE&I to their personal success and the success of the agency.

Objective 1: Improve accessibility to FEC’s compliance structures, services, and resources

1.1. Accessibility & Outreach:

- a. Increase campaign finance education for underrepresented communities with FEC training opportunities
 - Advocate for increasing demographic information collection
- b. Coordinate with the Equity Team to achieve its external outreach goals, such as outlined in Executive Order 13895
- c. Ensure that FEC educational materials reflect the agency’s commitment to DE&I

1.2. Actions, Tasks, & Deliverables:

- a. Partner with the Office of Communications to improve messaging, particularly to under-represented groups
- b. Promote outreach regarding FEC training opportunities to organizations implicated in campaign finance regulations
- c. Gather information regarding potential financial barriers for participation in Commission-sponsored educational opportunities for under-represented groups
- d. Partner with OCIO & Information Division to translate FEC resources, such as FEC.gov, to multiple languages
- e. Promote accessibility of agency resources, such as by making old enforcement precedent text-searchable for compliance with screen-readers
- f. Remove regulatory barriers to diverse candidates, e.g., permitting political committees to pay for childcare expenses

Objective 2: Increase internal information-sharing and communication

2.1. Communication:

- a. Increase collaboration and creative idea-sharing across divisions to increase employee engagement

2.2 Actions, Tasks, & Deliverables:

- a. Identify areas where employees find communication to be lacking and relay findings to relevant leadership
- b. Work with union to incorporate employee information needs into developing agency internal communications
- c. Promote a more transparent and honest communication process with the DE&I Council serving as a liaison between information-holders and employees
- d. Expand use of FECNet as a tool to promote DE&I
- e. Promote cross-division interaction to allow staff to learn about what other offices know both about agency operations and workplace culture and facilitate working together
- f. Collaborate with Employee Engagement Steering Committee to achieve these goals