

A SYSTEMIC ASSESSMENT OF EMPLOYER EQUAL EMPLOYMENT OPPORTUNITY EFFORTS AS A MEANS OF REDUCING THE GENDER EARNINGS GAP

Mary E. Graham[†] and Julie L. Hotchkiss^{††}

INTRODUCTION	169
I. U.S. GENDER GAP IN EARNINGS.....	170
A. THE PROBLEM.....	170
B. FEDERAL OVERSIGHT	171
C. THE NEED FOR A SYSTEMIC APPROACH TO EEO ASSESSMENT	173
II. THE PROPOSED GENDER-IN-EMPLOYMENT INDEX	176
A. AN EXPLANATION OF THE INDEX	176
B. AN ILLUSTRATION OF THE INDEX	181
C. EMPLOYER RESPONSES TO THE GENDER-IN- EMPLOYMENT INDEX.....	184
D. IMPLEMENTATION CONSIDERATIONS	185
CONCLUSION.....	187

INTRODUCTION

A gender earnings gap has persisted for many years in the United States. This gap is somewhat remarkable in light of reductions in gender-related occupational segregation, the narrowing of human capital differences between women and men, and government and employer-initiated efforts to enhance opportunities for women. In this article we argue that federal employment laws and current oversight mechanisms help maintain the gender earnings gap by encouraging the dissembling of employment discrimination into potentially small, separate, parts: pay discrimination, hiring discrimination, and job placement discrimination (including discrimination in promotions).

Gender disparities that are spread across several human resource management activities (e.g., pay, hiring, and job placement) are less

[†] Newell Assistant Professor, Organizational Studies School of Business, Clarkson School of Business University. B.A.S., Le Moyne College, 1985; Ph.D., Cornell University, 1995.

^{††} Associate Professor of Economics, Andrew Young School of Policy Studies, Georgia State University. B.A., Willamette University, 1985; Ph.D., Cornell University, 1989.

likely to be detected by employers, employees, or enforcement agencies than are disparities concentrated in one area. In addition, the intransigence of some gender biases and assumptions¹ suggests that, ironically, as public policy makers pass laws and as employers institute procedures to prevent and correct gender disparities, gender biases could take on new and subtler forms. Exacerbating this problem are two factors: (1) Reliance by the Equal Employment Opportunity Commission (EEOC) on individual employee complaints rather than the monitoring of employers for evidence of discrimination and (2) the EEOC's lack of access to employer pay data.

To effectively address the gender earnings gap and remedy contemporary gender discrimination in employment, we argue that the EEOC needs to monitor employers' Equal Employment Opportunity (EEO) outcomes routinely, using a systemic assessment approach and comprehensive metric that includes employer pay data. A systemic approach will aid employers and enforcement agencies in addressing employment discrimination because it provides an overall picture of firms' staffing, pay, and other employment decisions, all of which impact earnings.

In this article, we develop the "Gender-in-Employment Index" as a systemic metric for identifying stellar and poor firm performance on EEO outcomes and perform an initial examination of several employer performances on the Index. We also discuss how a systemic assessment of firms' EEO efforts is more consistent with current human resource management practice and theory and why firms will likely respond to such an index.

I. U.S. GENDER GAP IN EARNINGS

A. THE PROBLEM

The ratio of women's to men's median earnings in the U.S. was .76 in 2000 and 2001.² Growth in the ratio has been less than 1% per year; progress slowed during the 1990s as compared to the 1980s, and between some years (e.g., 1999–2000) the ratio has actually declined.³ This sluggish progress suggests that federal EEO oversight has had less than an

¹ See generally Susan T. Fiske, *Stereotyping, Prejudice, and Discrimination*, in *HANDBOOK OF SOCIAL PSYCHOLOGY* 357 (D.T. Gilbert et al. eds., 1998) (providing a review of the social psychology literature on the nature of stereotypes and prejudice and concluding that individuals' stereotypes and prejudices, including those that are gender-related, are partly automatic (i.e., they *cannot* be controlled or modified) and partly influenced by individual decision and social context (i.e., they *can* be controlled or modified).

² U.S. BUREAU OF LABOR STATISTICS, U.S. DEP'T OF LABOR, EMPLOYMENT AND EARNINGS 209 tbl.37 (2002), at www.bls.gov/cps/cpsaat38.pdf.

³ U.S. BUREAU OF LABOR STATISTICS, U.S. DEP'T OF LABOR, REPORT NO. 960, HIGHLIGHTS OF WOMEN'S EARNINGS IN 2001 24 tbl.13 (2002), at <http://www.bls.gov/cps/cpswom2001.pdf>.

exceptional impact on raising women's wages to the level of men's wages.

Estimates of gender pay discrimination for women and men in the same job within firms have a modal value of approximately 3% of pay,⁴ with estimates varying based upon the samples involved and how fully earnings models are specified. Audits of federal contractors by the U.S. Department of Labor have revealed similar types of pay discrimination.⁵ Although consequential, the amount of pay discrimination in the form of unequal pay for equal work accounts for only a fraction of the overall gender earnings gap. The remainder of the gender earnings gap stems from the differential hiring, job placement, and promotion experiences of women and men.

B. FEDERAL OVERSIGHT

There are three primary laws prohibiting gender discrimination in employment. Title VII of the Civil Rights Act of 1964,⁶ as amended by the Civil Rights Act of 1991,⁷ prohibits discrimination based upon sex, race, national origin, color, and religion in any employment decision.⁸ The Civil Rights Act of 1991 clarified standards for judging disparate impact discrimination and provided for compensatory and punitive awards in intentional discrimination cases, among other changes.⁹ The Equal Pay Act of 1963 prohibits gender-related pay discrimination for women and men doing substantially similar work in the same establishments.¹⁰ The Equal Employment Opportunity Commission (EEOC) enforces all three laws.¹¹

Employees file complaints directly with the EEOC.¹² In 2001, over 25,000 gender-related discrimination complaints were received, which amounted to approximately 31% of the total complaints received.¹³ In addition, the EEOC has a separate category of charges, called "commis-

⁴ See Mary E. Graham et al., *Discrimination by Parts: A Fixed Effects Analysis of Starting Pay Differences Across Gender*, 26 E. ECON. J. 9, 13-14 (2000).

⁵ U.S. DEP'T OF LABOR, THE GLASS CEILING INITIATIVE: ARE THERE CRACKS IN THE CEILING? (1997), at www.dol.gov/esa/media/reports/ofccp/newgc.htm.

⁶ 42 U.S.C. §§ 2000(e)-2000(e)(17) (1994).

⁷ Pub. L. No. 102-166, 105 Stat. 1071 (codified in scattered sections of 42 U.S.C. (1994)).

⁸ See 42 U.S.C. §§ 2000(e)-2000(e)(17).

⁹ See ALFRED BLUMROSEN, MODERN LAW: THE LAW TRANSMISSION SYSTEM AND EQUAL EMPLOYMENT OPPORTUNITY 284-288 (1993).

¹⁰ 29 U.S.C. § 206(d) (1994).

¹¹ Bruce Kaufman & Julie Hotchkiss, THE ECONOMICS OF LABOR MARKETS 494-500 (2003).

¹² *Id.*

¹³ U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N, CHARGE STATISTICS FROM THE U.S. EEOC FY 1992 THROUGH FY 2001 [hereinafter CHARGE STATISTICS], at www.eeoc.gov/stats/charges.html.

sioner charges” which enable the EEOC to address “systemic” discrimination, even in the absence of complaints.¹⁴ There are various ways for an employer to be charged with systemic discrimination, including multiple complaints against an employer, obvious discriminatory human resource practices, and severe underutilization (i.e., understaffing) of women compared to other firms in the same labor market.¹⁵ However, there is no comprehensive metric to help to identify employers committing systemic discrimination, perhaps because the EEOC does not routinely hold firms accountable for an overall level of discrimination. Partly as a result, very few commissioner charges for systemic discrimination are filed in a given year.¹⁶

To assist in the review of complaints and the filing of commissioner charges, the EEOC requires private sector employers with 100 or more employees to file annual Employer Information Reports (EEO-1), indicating the numbers of women and minorities employed in broad occupational categories.¹⁷ EEO-1 data from companies in relevant industries and geographic areas are available to be used as benchmarks for evaluating companies about which complaints have been registered. The EEOC does not “audit” employers’ records, nor does it routinely monitor employers’ EEO-1 reports; instead, the EEOC examines employer records primarily in investigations of meritorious complaints or firms otherwise suspected of systemic violations.¹⁸

The Office of Federal Contract Compliance Programs (OFCCP) of the U.S. Department of Labor is responsible for ensuring that federal contractors develop and follow affirmative action plans, as required by Executive Order 11,246.¹⁹ The OFCCP can audit federal contractors for compliance with Executive Order 11,246 and other employment discrimination laws.²⁰ The OFCCP has the authority to terminate contracts and prohibit employers from obtaining future government contracts if the firms do not follow OFCCP affirmative action guidelines.²¹ While affirmative action is not required under Title VII, federal contractors’ af-

¹⁴ U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM’N, EEOC COMPLIANCE MANUAL, §§ 8, 16 (2002).

¹⁵ *Id.*

¹⁶ See Michael Selmi, *The Value of the EEOC: Reexamining the Agency’s Role in Employment Discrimination Law*, 57 OHIO ST. L.J. 1, 52 (1996).

¹⁷ See *infra* app. A (containing a sample EEO-1 form).

¹⁸ Personal communication with P. Ronald Edwards, Chief, Research and Technical Info. Branch, Program Research and Surveys Div., Office of Research, Info. and Planning, Equal Employment Opportunity Comm’n (Oct. 3, 2002).

¹⁹ 30 Fed. Reg. 12,319, 12,935 (Sept. 24, 1965).

²⁰ See OFFICE OF FED. CONTRACT COMPLIANCE PROGRAMS, U.S. DEP’T OF LABOR, OFCCP COMPLIANCE MANUAL, at <http://www.dol.gov/esa/regs/compliance/ofccp/how2/ofcphow2.htm> (last visited Oct. 3, 2002).

²¹ *Id.*

firmative action initiatives may positively affect their Title VII compliance, and vice versa. Because of this link, the EEOC and the OFCCP share employer-related information in carrying out their respective duties.²²

In addition to its audit capabilities, the OFCCP has made strides in assessing systemic discrimination through its Equal Employment Opportunity Survey (EOS), which it administers randomly to federal contractors.²³ A visual comparison of this survey with the EEO-1 form reveals that the EOS requests more detailed hiring and job placement data than the EEO-1 form, and, importantly, it collects pay-related data. However, the survey is not required of all contractors on an annual basis at present, and by definition of the OFCCP's scope of responsibilities, this data collection effort will not reach firms that are not federal contractors.²⁴

C. THE NEED FOR A SYSTEMIC APPROACH TO EEO ASSESSMENT

We suggest a systemic approach to assessing and narrowing the earnings differences between women and men in the form of a comprehensive Gender-in-Employment Index, described in detail in the next section. In employment settings, "systems" refer to the interaction of the actors in a system (e.g., hierarchies of employees and managers), contextual factors such as the technology involved in production, firm policies and procedures, and the culture that holds the system together.²⁵ A systemic approach should thus consider the role of the above factors in creating employment outcomes, including gender disparities. The use of an overall index for evaluating employer EEO efforts is consistent with a systemic approach in that firms' human resource and management practices are considered together. For example, an employer may have a low rate of "Equal Pay" problems because women and men are segmented into different occupations, such that a high level of occupational segregation within a company results in a seemingly low level of pay disparities.

A systemic approach is valuable in several respects. First, the assessment of systemic gender discrimination is reflective of modern human resource systems operating in many firms today.²⁶ Firms are encouraged to improve their performance by integrating complementary

²² See Coordination of Functions: Memorandum of Understanding, 64 Fed. Reg. 17,664-668 (Apr. 12, 1999).

²³ See *infra* app. B (containing a sample EOS form).

²⁴ See *infra* app. A and app. B (containing sample EEO-1 and EOS survey forms).

²⁵ See JOHN T. DUNLOP, *INDUSTRIAL RELATIONS SYSTEMS* (1993) (presenting an overview of the systems approach as it pertains to employing organizations).

²⁶ See Mark A. Huselid, *The Impact of Human Resource Management Practices on Turnover, Productivity, and Corporate Financial Performance*, 38 ACAD. OF MGMT. J. 635 (1995) (containing an empirical study of human resource systems.).

human resource activities with each other and with firm culture.²⁷ Unfortunately, by design, this integration also has the potential to systematize employers' discriminatory practices across management practices. For example, an employer with a human resource strategy of high selectivity in hiring and extensive investment in employee training may generate gender-related effects at the hiring stage; but if the employer becomes less selective in hiring, gender-related effects may shift to the provision of training opportunities. A systemic approach is also more consistent with the work experiences of employees at firms, who view various workplace rewards and opportunities as a whole and as an indication of their employers' regard for them.²⁸

Second, a systemic approach such as the Gender-in-Employment Index explicitly recognizes the accumulation of small gender disparities in a firm's practices. At this point, employers have had many years to develop responses to anti-discrimination laws such as Title VII and the Equal Pay Act. As firms learned how the federal government and the courts would enforce these laws, they probably eliminated management practices that could perpetuate discrimination. However, the gender biases underlying this discrimination may have simply taken on less detectable forms. A systemic approach aggregates small gender disparities, which arise from different sources. This is important because such disparities do not appear to be random; rather, men are consistently favored in small ways in pay, hiring, promotion, and other employment opportunities.²⁹

Third, by focusing on employment-related outcomes, a systemic approach would provide the means to identify and address disparities that result from the application of prevalent or commonly accepted gender biases. Often less noticeable than blatant gender biases, these unconscious gender biases may take the form of gender stereotypes and gendered schema to evaluate individual workers' performance or their suitability for particular occupations.³⁰ A systemic assessment of employers' EEO efforts sidesteps difficulties in detecting these cognitive biases by inferring that the biases are occurring in firms that differ sub-

²⁷ See generally Jeffrey Pfeffer & John F. Veiga, *Putting People First for Organizational Success*, 13 ACAD. OF MGMT. EXECUTIVE 37 (1999) (providing an overview of the research evidence on best management practices and arguing that these practices need to be instituted as a system in order to reap their benefits).

²⁸ See generally Linda Rhoades & Robert Eisenberger, *Perceived Organizational Support: A Review of the Literature*, 87 J. OF APPLIED PSYCHOL. 698 (2002) (providing a thorough discussion of the concept of perceived organizational support).

²⁹ See Graham et al., *supra* note 4, at 23–24.

³⁰ For a complete explanation of this process, see Linda H. Krieger, *The Content of Our Categories: A Cognitive Bias Approach to Discrimination and Equal Employment Opportunity*, 47 STAN. L. REV. 1161 (1995). See also Barbara Reskin, *The Proximate Causes of Employment Discrimination*, 29 CONTEMP. SOC. 319 (2000).

stantially from industry norms (i.e., outliers) in their gender-related EEO efforts. Similarly, the identification of negative firm outliers also avoids the nearly impossible task of disentangling employer actions from employees' work-related preferences.

Fourth, because we propose that the systemic approach be applied to all EEO-1 filers, the Gender-in-Employment Index would be more likely to detect discrimination in smaller firms that may currently be less visible to the EEOC, and against which no discrimination complaints have been filed. Including small employers in the review of EEO outcomes is an important part of closing the earnings gap between women and men because more than half of U.S. employees work in firms employing fewer than 500 workers.³¹ In addition, there is some recent evidence that smaller employers are more likely to discriminate than larger employers.³²

Finally, a systemic approach has the potential to increase the efficiency of federal enforcement agencies. By identifying employers who are negative outliers in their industries, the EEOC and the OFCCP will be able to funnel investigatory and technical assistance resources where they are needed most: employers with systemic EEO problems.³³ Additionally, more so than the current complaint-based approach, interventions to improve EEO systems have the potential to stem the tide of future complaints from workers and to improve the employment conditions for all workers in a firm. In sum, by considering employers' EEO efforts and human resource systems as a whole, enforcement agencies have the potential to assist more people for each dollar spent. For all of these reasons, we argue for a systemic assessment of employers EEO efforts.³⁴

The identification of outliers can also be used as evidence of discriminatory intent in disparate treatment cases,³⁵ as well as evidence of

³¹ Brian Headd, *The Characteristics of Small-Business Employees*, 123 MONTHLY LAB. REV., Apr. 2000, at 13, 14.

³² See Alfred W. Blumrosen & Ruth G. Blumrosen, *Executive Summary*, in THE REALITY OF INTENTIONAL JOB DISCRIMINATION IN METROPOLITAN AMERICA — 1999, at xii (2002), available at http://eeo1.com/1999_NR/Title.pdf.

³³ See Selmi, *supra* note 16, at 49–52.

³⁴ See Marc Bendick, Jr., Using EEO-1 Data to Analyze Allegations of Employment Discrimination, Presentation before the A.B.A. Section on Labor and Employment Law (2000), at <http://www.bna.com/bnabooks/ababna/annual/2000/bendick.pdf>. Bendick also calls for a more systemic assessment of employer EEO efforts; however, he limits the assessment to underutilization data from EEO-1 reports, and focuses on disparate treatment claims. *See id.* The Bendick presentation refers to the research team working on a larger comprehensive project assessing employment discrimination using actual employer data. Alfred W. Blumrosen, John J. Miller, Ruth Gerber Blumrosen, and Marc Bendick. *See id.* at 1 n.1. *See generally* Blumrosen & Blumrosen, *supra* note 32 (containing an expanded discussion of these findings).

³⁵ *See* Blumrosen & Blumrosen, *supra* note 32, at 1–7.

impact in disparate impact cases.³⁶ For all uses of the outliers, we recommend comparisons against industry norms so as to ensure that the focus is on potential gender biases, rather than the economic environments of particular industries (e.g., low product demand lack of qualified applicants) that may also have gender-related EEO outcomes. Although this may ignore some gender discrimination in employment,³⁷ this avoids penalizing employers that are simply responding to business pressures.

II. THE PROPOSED GENDER-IN-EMPLOYMENT INDEX

A. AN EXPLANATION OF THE INDEX

We propose a comprehensive Gender-in-Employment Index as a tool in the implementation of a systemic approach to the assessment of employers' EEO activities. As discussed earlier, the index will help identify and focus employer attention on gender disparities in pay, hiring, and job placement that impact the gender earnings gap. The index can also serve as a justified criterion by which to identify and reward industry leaders in the EEO area. Finally, the index would be a helpful tool with which employers could benchmark and improve their gender-related EEO efforts. When used for all three purposes — oversight, rewards, and benchmarking — the index has the potential to substantially increase women's earnings, and thereby move the gender earnings ratio toward one.

The EEOC and OFCCP currently utilize several means of recognizing employers' EEO efforts, but by themselves these are inadequate rewards for eradicating systemic discrimination. The most promising to date has been two awards developed by the OFCCP to recognize noteworthy affirmative action and equal employment opportunity efforts: a) the Secretary of Labor's Opportunity Award, awarded to one contractor per year, and b) the Exemplary Voluntary Efforts (EVE) Award, awarded to several contractors.³⁸ While a nice beginning, these awards do not appear to be based upon data that are standardized across firms, and they are limited to employers that are nominated or apply for them.³⁹ The EEOC publicizes and recognizes exemplary employer practices.⁴⁰ There

³⁶ See WALTER B. CONNOLLY, JR. ET AL., *USE OF STATISTICS IN EQUAL EMPLOYMENT OPPORTUNITY LITIGATION* 23–30 (2001).

³⁷ See Blumrosen & Blumrosen, *supra* note 32, at 12.

³⁸ Descriptions of these awards and a list of past award recipients can be found on the Department of Labor website, at www.dol.gov/esa/media/reports/ofccp/eveint.htm (Sept. 29, 2002).

³⁹ See Peter Wright et al., *Competitiveness Through Management of Diversity: Effects on Stock Price Valuation*, 38 ACAD. OF MGMT. J. 272 (1995) (presenting evidence of the positive effects of OFCCP's EVE Awards on stock returns).

⁴⁰ See, e.g., EQUAL EMPLOYMENT OPPORTUNITY COMM'N, 2 TASK FORCE REPORT ON "BEST" EEO POLICIES, PROGRAMS, AND PRACTICES IN THE PRIVATE SECTOR (1998).

are also some non-governmental gender-related EEO awards, but most rely upon the reports of one or two individuals per firm, employee reports, or upon aggregated statistics, such as broad occupational placement within firms.⁴¹ Moreover, we could locate no evidence that EEOC or private recognition efforts correlate with firms' actual performance on EEO outcomes.

The systemic approach and the use of the Gender-in-Employment Index differ from the current EEOC reliance on employee complaints to identify gender-related employment discrimination, although employee complaints could continue as a supplement to the index. We expect only a few employers to be outliers on the index; and, in fact, in some industries there may be no outliers if firms in an industry achieve similar EEO outcomes. However, the prospects of an EEOC intervention or an EEO award will serve as incentives for employers to monitor their progress on the index.⁴²

A systemic assessment approach and the Gender-in-Employment Index should move the gender earnings ratio closer to unity. Each component is designed to address a particular aspect of the earnings gap. Components one through four target gender disparities that have direct impact on the gender earnings gap. The fifth component reinforces the systemic nature of the proposed index by incorporating potential discrimination across dimensions beyond gender. The five components of the index are as follows:

1) The "Equal Pay Component" measures the extent to which the employer pays women and men in the same jobs the same pay. This will be indicated by the existence of a negative and significant gender coefficient in an ordinary least squares (OLS) regression of total compensation on employee gender,⁴³ qualifications, job held, and employment establishment. That is, being a woman has a significant negative effect on an individual's earnings or on the productivity-corrected percentage wage differential. This component of the index is designed to eliminate equal pay discrimination within employers by encouraging employers to use consistent pay-setting practices and to monitor gender-related pay differences that cannot be justified by merit, seniority, or any factor other than sex. At present, the EEOC receives relatively few equal pay complaints,

⁴¹ See, e.g., Working Mother Media, *How We Chose the 100 Best Companies for Working Mothers*, WORKING MOTHER at http://www.workingmother.com/oct_2001/method.shtml (last visited Aug. 28, 2002).

⁴² See Patrick Ronald Edwards, *Choices That Increase Compliance*, 10 POL'Y STUD. REV. 4, 6 (1991) (presenting an empirical study of an economic model of firms' EEO compliance).

⁴³ As measured by women=1, men=0.

in part because few employees have access to the pay information of their co-workers.⁴⁴

2) The "Occupational Segregation Component" measures the extent to which an employer's workforce is integrated by gender across jobs and occupations. This will be measured by a "segregation index" indicating the percentage of women and men who would have to change jobs in order for the workplace to be fully integrated. The dissimilarity index used is the well known Duncan Index,⁴⁵ which falls between zero and one and indicates the percent of either men or women that would have to change occupations in order for the distributions to be equal. The closer the index is to zero, the more equal are the distributions of men and women across occupations.⁴⁶ It is calculated as:

$$\text{Occupational Segregation}_j = \frac{1}{2} \sum_{i=1}^n |M_{ij} - F_{ij}|,$$

where n is the number of occupations represented in firm j , M_{ij} is the proportion of men employed by firm j found in occupation i , and F_{ij} is the proportion of women employed by firm j found in occupation i . Because women usually work in lower-paying occupations, this component is designed to address excessive and potentially discriminatory occupational segmentation within employers. Thus, employers are encouraged to examine their job placement processes and to consider the implementation of programs to train and encourage women to enter non-traditional fields (e.g., computer programming).

3) The "Glass Ceiling Component" measures the extent to which women are represented in the upper levels of the organization. This will be measured as one minus the proportion of top management positions that are held by women. This component is designed to encourage employers to eradicate hiring and promotion discrimination and to institute programs to encourage and assist women in reaching the upper levels of organizations. The earnings gap should decrease as women are placed in

⁴⁴ See CHARGE STATISTICS, *supra* note 13. For the years 1992 through 2001, Equal Pay Act charges constituted less than 2% of individual charge filings with the EEOC. See *id.*

⁴⁵ Otis Dudley Duncan & Beverly Duncan, *A Methodological Analysis of Segregation Indexes*, 20 AM. SOC. REV. 210 (1955).

⁴⁶ *Id.* at 214. It is possible to score poorly on Occupational Segregation by reverse occupational segmentation (e.g., if men are overrepresented in a traditionally-female occupation); however, these situations would be relatively rare, and likely would have to be analyzed by the EEOC on a case-by-case basis. See generally Bliss Cartwright & Patrick Ronald Edwards, Gender Segregation by Jobs and Industries: Data from the 2000 EEO-1 Survey of Private Employers, Presentation at the 2002 Annual Meeting of the American Sociological Association (Aug. 19, 2002) (offering more sophisticated formulations of segregation measures applicable to the monitoring of gender-related disparities).

higher starting positions upon hire and as they are promoted to higher levels in organizations.

4) The "Hiring Component" measures the frequency with which women and men are proportionally represented in occupations and firms relative to their levels of availability in the relevant labor market.⁴⁷ This measure is simply the proportion of occupations represented in each firm in which women are under-represented relative to the industry.⁴⁸ For example, if women in a firm comprise only 25% of Occupation A, whereas industry-wide, 60% of that occupation is made up of women, then women are considered underrepresented in that occupation in that firm. If women were underrepresented in 25% of all occupations in a firm, then the firm's Hiring Component would be equal to 0.25. This component is designed to address between-employer pay differences stemming from women and men working in different occupations across firms, and women and men working in different industries and firms. While an individual firm is obviously not responsible for the hiring practices of other firms, its hiring activity can be compared to the performance of other firms in its industry. This component will encourage employers to devote attention to their recruitment and selection practices to ensure that they provide equal access to employment for women and men. As more women get jobs in high-paying firms and industries, the gender earnings ratio should move toward one.

5) The "Related Discrimination Component" considers the scores on separate indices measuring EEO outcomes in the area of race/ethnicity.⁴⁹ This component is comprised of the outcome measures on the first four components across racial/ethnic lines. This component is designed to recognize the interconnectedness of race, gender, and disability discrimination and the potential for employers who are discriminatory in one area (e.g., gender) to be discriminatory in other areas (e.g., race). Research literature on the interrelatedness and inseparability of gender and race supports this approach.⁵⁰ It suggests that women who are mem-

⁴⁷ For purposes of the illustration in this article, the "relevant labor market" will refer to the firm's industry. The relevant labor market could also include non-industry competitors for workers.

⁴⁸ This component could be modified to consider the degree of underrepresentation in hiring for each occupation. *See generally* Bliss Cartwright and Patrick Ronald Edwards, *Using EEO-1 Data to Examine Gender-Based Occupational Segregation by Industry*, Proceedings of the American Statistical Association (2002) (advancing alternative measures of glass ceiling effects).

⁴⁹ Additional related components can be added for other protected groups, such as the disabled.

⁵⁰ *See, e.g.*, ELIZABETH V. SPELMAN, *INESSENTIAL WOMAN: PROBLEMS OF EXCLUSION IN FEMINIST THOUGHT* (1988) (presenting a strong argument for viewing gender and race as intertwined sources of identity and a related critique of early philosophers and prominent feminist writers on this criteria).

bers of racial or ethnic minority groups could experience greater levels of discrimination than other employees.⁵¹

Performances on the five components are combined into a single index for assessment purposes. This index will be used to determine the progress, or lack thereof, of firms' EEO efforts. Firms that are one standard deviation *above* industry norms on the index — a lower index score is better — receive EEOC scrutiny and assistance with a plan for corrective action. Firms that are one standard deviation *below* industry norms receive a "Gender-in-Employment Award."

A key issue in constructing the index is the way in which these components are combined into a single number. Two natural candidates present themselves: the arithmetic mean and the geometric mean. The arithmetic mean index for firm j is given by

$$I_{Aj} = \frac{1}{5} \sum_{i=1}^5 C_{ij},$$

where C_i is the i th component for firm j . The geometric mean index for firm j is given by

$$I_{Gj} = \left(\prod_{i=1}^5 C_{ij} \right)^{(1/5)}$$

The advantage of the arithmetic mean is that it is a well-known statistic representing a linear average of each of the components. The disadvantage is that it combines in linear fashion components that are measured in different units. The advantage of the geometric mean is that it registers a change or difference in each of the components as a percentage change, rather than a unit change, which is more intuitively appealing for an index with components of varying units. In other words, the arithmetic mean ranks absolute changes in the components equally, whereas the geometric mean ranks proportional changes in the components equally.⁵²

The index should be supplemented by an assessment of individual complaints against the firm and by the firms' summaries of efforts to provide equal opportunities for women in the workplace. For example, the OFCCP limits its awards to firms without meritorious complaints pending.⁵³ In addition, some organizations may face unique circumstances in which the outcomes encouraged by the index are unachiev-

⁵¹ See *id.*

⁵² See generally Robert E. Moore, *Ranking Income Distributions Using the Geometric Mean and a Related General Measure*, 63 S. ECON. J. 69 (1996) (discussing and applying the advantages of the geometric mean in the development of an index).

⁵³ See *supra* note 38.

able, despite aggressive efforts. Thus, it would be important for the EEOC to thoroughly investigate all information, quantitative and qualitative, in working with employers that do poorly on the index.

We offer this Gender-in-Employment Index as a prototype and a starting point for discussion. We expect that substantial consultation with public policy makers, EEO professionals, advocacy groups, and employers will be necessary to more clearly define systemic discrimination as well as refine all aspects of a comprehensive assessment index.

B. AN ILLUSTRATION OF THE INDEX

By way of further exploring the workings and implications of our proposed index, we present scores for four employers in the computer services industry.⁵⁴ The information comes from a sample of 1985–1988 college graduates of a high quality university: including data on employer, starting salary, college major, grade point average, and occupation information.⁵⁵ Each of these firms hired between twenty-five and forty-eight individuals from the university; and, for purposes of this exercise, we assume that the data are representative of the firms and industry as a whole. Table 1 presents firm scores and industry averages and standard deviations on each of the five components of the Gender-in-Employment Index for each firm. Scores substantially above the industry average indicate poor performance and are shown in bold. Scores substantially below the industry average indicate good performance and are shown with a double underline.

Firm 3's total index of 0.33 indicates potential problems with systemic discrimination; this employer had an 8.5% unexplained pay difference between women and men in the firm, and it scored above industry average on the Occupational Segregation and Hiring components. Firm 4 is eligible for an EEOC award based upon its overall index, which is at least one standard deviation below the industry average, assuming it has no meritorious complaints pending. Even though Firm 4 performed one standard deviation better than the industry on only one component (Occupational Segregation), that performance, when combined with slightly above average performance on the other components, pushed the overall index into the award range. This outcome illustrates the advantage of using the geometric mean, which takes into account the different metrics of each component. For example, Firm 1 also surpassed the industry by a standard deviation in one component (Equal Pay), but the performance on this component and other components was insufficient to pull the

⁵⁴ The limited data available to demonstrate the index necessitated the aggregation to the one-digit Standard Industrial Classification (SIC) level; more detailed SIC codes (e.g., a three-digit level) are preferable.

⁵⁵ See Graham et al., *supra* note 4, at 15–17, for a fuller description of this data.

TABLE 1
Illustration of Gender-in-Employment Index

	Firm 1	Firm 2	Firm 3	Firm 4	Industry Average (Std. Dev.)
<u>Equal Pay Component</u>	<u>0.0633</u>	0.0844	0.0846	0.0844	0.0792 (0.0106)
Percentage wage differential between men and women within the firm, controlling for measures of productivity.					
<u>Occupational Segregation Component</u>	0.3350	0.3400	0.4950	<u>0.0950</u>	0.3163 (0.1651)
Proportion of women or men who would have to change jobs in order to equalize occupational distributions.					
<u>Glass Ceiling Component</u>	1.0000	<u>0.9700</u>	1.0000	0.9900	0.9900 (0.0141)
One minus the proportion of top management team that is comprised of women.					
<u>Hiring Component</u>	0.2500	0.4000	0.5000	0.2500	0.3500 (0.1225)
Percent of occupations within the firm in which women are under-represented.					
<u>Related Discrimination Component</u>	0.1059	0.2154	0.1846	0.1033	0.1523 (0.0565)
Race/ethnic sub-index.					
<u>Firm Index</u>	0.2200	0.3000	0.3300	<u>0.1800</u>	0.2588 (0.0672)
Gender-in-Employment Award	no	no	no	YES	—
EEOC Inquiry and Assistance	no	no	YES	no	—
Note:					
<u>Double Underline</u> - One standard deviation BELOW industry average (good performance)					
Bold - One standard deviation ABOVE industry average (poor performance)					

Firm into award range. Firms 1 and 2 receive no EEOC attention, but can now use the index to improve their EEO efforts. Firm 1 could concentrate its efforts on the Occupational Segregation and Glass Ceiling Components that pulled its index score upward. Firm 2 could focus on improving all of the components.

One of the primary motivating factors for developing a systemic measure of discrimination is to capture overall performance of the firm. Even if a firm is "passing" on all the criteria in each of the components (falling within one standard deviation of the industry norm), its performance could systematically fall toward the poor end of the spectrum in each component, which should trigger further EEOC scrutiny. To demonstrate that the Gender-in-Employment Index proposed here will allow for such a situation, we construct such a hypothetical firm and add it to the four firms contained in Table 1. Table 2 presents the scores and overall performance indices for these firms, including hypothetical Firm 0.

The point of this simulation is to show that despite the fact that Firm 0 scores within one standard deviation on each of the components, each score is systematically high enough that the overall index falls above the

TABLE 2
Gender-in-Employment Index with Hypothetical Firm (Firm 0)

	Firm 0 (Hypothetical Firm)	Firm 1	Firm 2	Firm 3	Firm 4	Industry Average (Std. Dev.)
<u>Equal Pay Component</u>	0.0850	<u>0.0633</u>	0.0844	0.0846	0.0844	0.0803 (0.0095)
<u>Occupational Segregation Component</u>	0.5140	0.3350	0.3400	0.4950	<u>0.0950</u>	0.3558 (0.1682)
<u>Glass Ceiling Component</u>	.9960	1.0000	<u>0.9700</u>	1.0000	0.9900	0.9912 (0.0125)
<u>Hiring Component</u>	0.4900	<u>0.2500</u>	0.4000	0.5000	<u>0.2500</u>	0.3780 (0.1232)
<u>Related Discrimination Component</u>	0.2100	<u>0.1059</u>	0.2154	0.1846	<u>0.1033</u>	0.1638 (0.0553)
Firm Index	0.34	0.22	0.30	0.33	<u>0.18</u>	0.2748 (0.0684)
Gender-in-Employment Award	no	no	no	no	YES	—
EEOC Inquiry and Assistance	YES	no	no	no	no	—
Note: <u>Double Underline</u> - One standard deviation BELOW industry average (good performance) Bold - One standard deviation ABOVE industry average (poor performance)						

industry average, triggering an EEOC inquiry. By adding Firm 0, the industry average and standard deviation change so the outcomes for each firm could be different than that reported in Table 1. For instance, the overall performance of Firm 3 no longer warrants EEOC scrutiny. More of the scores, however, fall below the now elevated range. In addition, Firm 4 still qualifies for a Gender-in-Employment Award.⁵⁶

Note that this Gender-in-Employment Index is flexible enough to reflect various political environments. The thresholds can be narrowed (say, one-half standard deviation), or widened (say, two standard deviations) as the EEOC sees fit.⁵⁷ In addition, the EEOC may want to establish a system by which even minor deviations on one component are scrutinized, but allowances on other components are more lenient. For example, it could set a standard that no Equal Pay disparities are acceptable for similarly qualified women and men in the same establishments. This could be accomplished by translating the deviations from the indus-

⁵⁶ We anticipate that industry averages will be computed by the EEOC, using data from more than a small number of firms, such that the addition or deletion of one or two firms will not substantially change the overall results in actual EEOC analysis.

⁵⁷ See Blumrosen & Blumrosen, *supra* note 32 (documenting substantial statistical evidence of discrimination using a two standard deviation standard).

try norm on each component into a point system or by weighing the components' contributions to the overall index differently.

C. EMPLOYER RESPONSES TO THE GENDER-IN-EMPLOYMENT INDEX

Theories of firm behavior suggest that an employer will respond to the Gender-in-Employment Index to the extent that it helps the employer achieve legitimacy and a favorable reputation, preserve resource flows, achieve organizational objectives, or create a sustainable competitive advantage. Institutional theory describes firms' motivations to appear legitimate to lawmakers, investors, and others upon whom they depend for survival.⁵⁸ One way to achieve this legitimacy is to adopt widely used and acceptable human resource management practices, as encouraged by the Gender-in-Employment Index. In addition, organizations would strive for a gender-related award from the federal government if they believed that it would enhance their legitimacy in the eyes of important stakeholders, such as job seekers. Given that firms appear to respond to other types of awards, such as the Malcolm Baldrige National Quality Award,⁵⁹ employers may similarly value an award in the EEO area.

Resource dependence theory takes the perspective that firms respond most quickly and substantively to those stakeholders upon whom they depend for resources.⁶⁰ For example, firms that depend upon the government for business revenues will likely make greater efforts in their equal employment opportunity efforts than firms who do not. According to resource dependence theory, firms that receive federal contracts will try to avoid being a negative outlier on the index because of the potentially high costs associated with that status (e.g., contract suspension), and they will also be more motivated to receive EEO-related awards than non-government contractors in order to gain future contracts.

⁵⁸ See generally Paul J. DiMaggio & Walter W. Powell, *The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields*, 48 AM. SOC. REV. 147 (1983) (discussing an early formulation of institutional theory). See also Mark C. Suchman, *Managing Legitimacy: Strategic and Institutional Approaches*, 20 ACAD. OF MGMT. J. 571 (1995) (containing a more current discussion of institutional theory and the concept of legitimacy).

⁵⁹ The Malcolm Baldrige National Quality Award is given to recognize U.S. organizations for their quality efforts and performance. The award is named after former Secretary of Commerce Malcolm Baldrige and is administered by the National Institute of Standards and Technology of the U.S. Department of Commerce. See *The Malcolm Baldrige Quality Award: Has It Made a Difference?: Hearing Before the House Subcomm. on Tech., Env't, and Aviation of the Comm. on Sci., Space, and Tech.*, 103d Cong. (1993).

⁶⁰ See Jeffrey Pfeffer & Gerald R. Salancik, *THE EXTERNAL CONTROL OF ORGANIZATIONS* (1978) (offering an early formulation of resource dependence theory). See also Melissa W. Barringer & George T. Milkovich, *A Theoretical Exploration of the Adoption and the Design of Flexible Benefits Plans: The Case of a Human Resource Innovation*, 23 ACAD. OF MGMT. REV. 305, 305-24 (1998) (discussing a recent application of the resource dependence theory).

Economic theories and theories of strategy explain the behavior of organizations as motivated by efficiency and profit considerations. According to economic theory, firms that discriminate against women (and therefore score poorly on the index) risk having women quit and seek employment with non-discriminatory firms; they may also lose the productivity of women who are underemployed or placed in less strategically important jobs.⁶¹ To the extent that employers believe the index helps them avoid this problem, employers will utilize the Gender-in-Employment Index. Economic theory would also emphasize firms' consideration of the probabilities of being identified as a negative outlier, as well as the potential penalties associated with EEOC attention.⁶² Similarly, according to theories of strategy, firms may purposefully respond to compliance pressures in ways that make the most economic and strategic sense.⁶³ Strategic perspectives may also characterize firms' responses to the index as attempts to "fit" human resource activities to the overall business strategy or to the business environment, in order to enhance productivity or profits.⁶⁴ For example, firms employing a people-centered business strategy may tend to put more resources into EEO efforts than firms leading with their cost structures; EEO awards are likely to be more enticing to the former types of firms. Similarly, the resource-based view of strategy suggests that firms seeking competitive advantage through their workforce diversity efforts⁶⁵ might be more responsive to the Gender-in-Employment Index. According to both the economic and the strategic perspectives, firms will respond to the Gender-in-Employment Index to the extent they believe it is consistent with organizational strategy and objectives, to the extent that the benefits of compliance outweigh penalties for non-compliance and to the extent that good performance on the index provides them with a competitive edge. Overall, there are multiple types of incentives and disincentives for firms to respond to the Gender-in-Employment Index.

D. IMPLEMENTATION CONSIDERATIONS

Several factors would facilitate implementation of a systemic assessment of employers' EEO efforts and the use of a comprehensive as-

⁶¹ See generally Kaufman & Hotchkiss, *supra* note 11 (containing an introduction to labor economic theory).

⁶² See Edwards, *supra* note 42.

⁶³ See Christine Oliver, *Strategic Responses to Institutional Processes*, 16 ACAD. OF MGMT. REV. 145 (1991) (containing a theoretical explication of this perspective).

⁶⁴ See generally LUIS R. GOMEZ-MEJIA & DAVID B. BALKIN, *COMPENSATION, ORGANIZATIONAL STRATEGY, AND FIRM PERFORMANCE* (1992) (explaining, thoroughly, the contingency theory of strategy).

⁶⁵ See Orlando C. Richard, *Racial Diversity, Business Strategy, and Firm Performance: A Resource-Based View*, 43 ACAD. OF MGMT. J. 2, 164 (2000) (examining empirically the competitive advantages of valuing diversity).

assessment index. The data handling capabilities of the EEOC may have to be upgraded to accept, process, and monitor additional information from employers. The only data on private sector employers that the EEOC routinely collects at present are hiring and job placement statistics by broad occupational grouping and by sex, race, and ethnic categories, as reported on EEO-1 forms. To accommodate the Gender-in-Employment Index, the EEOC would need information for the index's five components and data on corresponding industry norms.

Web-based employer reporting options and clear EEOC guidelines could help address the potentially enhanced reporting burdens required of employers. To generate the numbers similar to those reported in Table 1, the following information is required from employers:

- 1) The percent of top management (which would need a clear definition) that are women.
- 2) For *each worker* the following information is needed:
 - (a) compensation (including incentive bonuses)
 - (b) occupational code
 - (c) hours of work
 - (d) tenure with the firm
 - (e) age or years in the labor market
 - (f) gender
 - (g) race/ethnicity

Strong political support for a proposed systemic approach to EEO assessment would likely be needed for successful implementation. This support includes adequate funding levels for the EEOC to conduct its oversight activities; funding is identified as a future management challenge in the EEOC's strategic plan.⁶⁶ Furthermore, as of November 5, 2002, Republicans control the executive branch and both houses of Congress, and that party tends to favor the current complaint-based system of federal anti-discrimination enforcement and oppose increased scrutiny of employers for evidence of systemic discrimination.⁶⁷ Nevertheless, we encourage all policymakers and employers who are concerned about the gender earnings gap to seriously consider a more systemic approach to the assessment of employers' EEO compliance.

⁶⁶ See, e.g., U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM'N, STRATEGIC PLAN FOR 2000-2005 § 1.1E, available at <http://www.eeoc.gov/plan/strategic-2000.html> (last visited Oct. 23, 2000).

⁶⁷ See, e.g., *Hearing on the Future Direction of the EEOC: Hearing Before the House Subcomm. on Employer-Employee Relations of the Comm. on Educ. and the Workforce*, 105th Cong. (1998).

CONCLUSION

Solutions to the gender earnings gap have eluded policymakers and employers for many years. In this article we contend that substantial employment discrimination against women maintains the gender earnings gap. This employment discrimination is difficult to detect because it appears small when evaluated by individual human resource management activity (i.e., pay, hiring, job placement) and because as enforcement mechanisms are instituted, gender biases take on new discriminatory forms. Several interrelated factors propel this process: the systemic nature of management practices and organizations, the intransigence of gender biases held by individuals, and the fact that federal oversight of employers has inadequately addressed systemic discrimination.

We propose that the EEOC take a more systemic approach to the assessment of employers' compliance with anti-discrimination laws, and we present a comprehensive Gender-in-Employment Index as an illustration of such an approach. While the approach is not perfect, it is our hope that this proposition and index motivate serious discussions about addressing the persistent gender earnings gap.

APPENDIX A

- Joint Reporting
Committee
- Equal Employment
Opportunity Com-
mission
 - Office of Federal
Contract Compli-
ance Programs (Labor)

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER INFORMATION REPORT EEO-1

Standard Form 100
(Rev. 3/77)

O.M.B. No. 3040-0007
EXPIRES 10/31/80
100-214

Section A—TYPE OF REPORT

Refer to instructions for number and types of reports to be filed.

1. Indicate by marking in the appropriate box the type of reporting unit for which this copy of the form is submitted (MARK ONLY ONE BOX).

(1) ☐ Single-establishment Employer Report

Multi-establishment Employer:

- (2) ☐ Consolidated Report (Required)
(3) ☐ Headquarters Unit Report (Required)
(4) ☐ Individual Establishment Report (submit one for each es-
tablishment with 50 or more employees)
(5) ☐ Special Report

2. Total number of reports being filed by this Company (Answer on Consolidated Report only)

Section B—COMPANY IDENTIFICATION (To be answered by all employers)

1. Parent Company

a. Name of parent company (owns or controls establishment in Item 2) omit if same as label

Address (Number and street)

City or town

State

ZIP code

2. Establishment for which this report is filed. (Omit if same as label)

a. Name of establishment

Address (Number and street)

City or Town

County

State

ZIP code

b. Employer Identification No. (IRS 9-DIGIT TAX NUMBER)

c. Was an EEO-1 report filed for this establishment last year? ☐ Yes ☐ No

Section C—EMPLOYERS WHO ARE REQUIRED TO FILE (To be answered by all employers)

- ☐ Yes ☐ No 1. Does the entire company have at least 100 employees in the payroll period for which you are reporting?
- ☐ Yes ☐ No 2. Is your company affiliated through common ownership and/or centralized management with other entities in an enterprise with a total employment of 100 or more?
- ☐ Yes ☐ No 3. Does the company or any of its establishments (a) have 50 or more employees AND (b) is not exempt as provided by 41 CFR 60-1.5, AND either (1) is a prime government contractor or first-tier subcontractor, and has a contract, subcontract, or purchase order amounting to \$50,000 or more, or (2) serves as a depository of Government funds in any amount or is a financial institution which is an issuing and paying agent for U.S. Savings Bonds and Savings Notes?

If the response to question C-3 is yes, please enter your Dun and Bradstreet Identification number (if you have one):

NOTE: If the answer is yes to questions 1, 2, or 3, complete the entire form, otherwise skip to Section G.

OF 100 Page 2

Section D—EMPLOYMENT DATA

Employment at this establishment—Report all permanent full-time and part-time employees including apprentices and on-the-job trainees unless specifically excluded as set forth in the instructions. Enter the appropriate figures on all lines and in all columns. Blank spaces will be considered as zeros.

JOB CATEGORIES		NUMBER OF EMPLOYEES											
		OVERALL TOTALS (SUM OF COL. B THRU K)	MALE						FEMALE				
			WHITE (NOT OF HISPANIC ORIGIN)	BLACK (NOT OF HISPANIC ORIGIN)	HISPANIC	ASIAN OR PACIFIC ISLANDER	AMERICAN INDIAN OR ALASKAN NATIVE	WHITE (NOT OF HISPANIC ORIGIN)	BLACK (NOT OF HISPANIC ORIGIN)	HISPANIC	ASIAN OR PACIFIC ISLANDER	AMERICAN INDIAN OR ALASKAN NATIVE	
A	B	C	D	E	F	G	H	I	J	K			
Officials and Managers	1												
Professionals	2												
Technicians	3												
Sales Workers	4												
Office and Clerical	5												
Craft Workers (Skilled)	6												
Operatives (Semi-Skilled)	7												
Laborers (Unskilled)	8												
Service Workers	9												
TOTAL	10												
Total employment reported in previous EEO-A report	11												

NOTE: Omit questions 1 and 2 on the Consolidated Report.

1. Date(s) of payroll period used: _____ 2. Does this establishment employ apprentices?
1 ☐ Yes 2 ☐ No

Section E—ESTABLISHMENT INFORMATION (Omit on the Consolidated Report)

1. What is the major activity of this establishment? (Be specific, i.e., manufacturing steel castings, retail grocer, wholesale plumbing supplies, title insurance, etc. Include the specific type of product or type of service provided, as well as the principal business or industrial activity.)

OFFICE
USE
ONLY

Section F—REMARKS

Use this item to give any identification data appearing on last report which differs from that given above, explain major changes in composition of reporting units and other pertinent information.

Section G—CERTIFICATION (See Instructions G)

- Check one 1 ☐ All reports are accurate and were prepared in accordance with the instructions (check on consolidated only)
2 ☐ This report is accurate and was prepared in accordance with the instructions.

Name of Certifying Official	Title	Signature	Date
Name of person to contact regarding this report (Type or print)		Address (Number and Street)	
Title	City and State	ZIP Code	Telephone Number (Including Area Code)
		Extension	

All reports and information obtained from individual reports will be kept confidential as required by Section 709(a) of Title VII.
WILLFULLY FALSE STATEMENTS ON THIS REPORT ARE PUNISHABLE BY LAW, U.S. CODE, TITLE 18, SECTION 1001.

APPENDIX B

U.S. Department of Labor
Office of Federal Contract Compliance Programs
Equal Opportunity Survey
of Federal Contractor Establishments



OMB No. 1215-0196
EXPIRES: 03/31/2003

INTRODUCTION:

The U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) is conducting this Equal Opportunity Survey (EO Survey) to obtain employment information from federal contractor establishments. We suggest that your EEO/Human Resource Director or Affirmative Action Officer be responsible for completing and/or coordinating the completion of this EO Survey.

WHO MUST COMPLETE THE EO SURVEY

You must complete and return this Survey if both of the following statements are true:

.....Your company or corporation is
a Federal contractor or subcontractor;
.....Your company or corporation has 50 or more employees;

.....and any one of the following statements is true

.....Your company or corporation has a Federal
contract or subcontract of \$50,000 or more.
.....Your company or corporation is a financial institution
that is an issuing agent for U.S. Savings Bonds and Notes.
.....Your company or corporation serves as a
depository of Government funds in any amount.
.....Your company or corporation has Government bills of lading which
in any 12-month period total or will likely total \$50,000 or more.
.....Your company or corporation has an open-ended or indefinite quantity
Federal contract or subcontract (such as a procurement order
or standing invoice) that will total \$50,000 or more.

Note: Your facility may or may not be the same location where your company or corporation is performing work under the federal contract or subcontract, but your facility is still considered a federal contractor or subcontractor establishment. For example, Company X has a federal contract or subcontract and has two facilities, A and B. Facility A is performing work under the federal contract or subcontract, Facility B is not. Both Facility A and B of Company X are federal contractor establishments.

Note: Your facility is considered a federal subcontractor establishment if it is a subcontractor to a federal contractor and is performing work related to that contract. For example, Company X is performing work under a federal contract. Company Y and Company Z are subcontractors of Company X. Company Y is performing work related to Company X's federal contract. Company Z is not performing work related to Company X's federal contract or any other federal contract or subcontract. Company X and Company Y are federal subcontractor establishments; Company Z is not a federal subcontractor establishment.

If your establishment should not complete this EO Survey, please (1) check here ☐ (2) explain in the space provided below why your establishment should not complete this EO Survey, and (3) sign and date the certification on the next page and return the EO Survey in the envelope provided to the address shown at right.



INSTRUCTIONS:

This survey has three Parts -- A, B, and C. Part A is self-explanatory. Please read all instructions for parts B and C before you begin. If you have any questions, or if you need assistance in completing the EO Survey, you may call our EO Survey Help Desk at 1-800-397-6443 for technical assistance or 1-800-397-6251 for policy assistance.

HOW TO SUBMIT THE EO SURVEY:

A pre-addressed business reply envelope is included for your convenience. Please return the entire completed and signed survey, including these instructions, within 45 days of the date of receipt to:

EO Survey Office
Office of Federal Contract Compliance Programs
U.S. Department of Labor
141 Canal Street
Nashua, NH 03064-2879

DID YOU KNOW YOU CAN SUBMIT
THE EO SURVEY ELECTRONICALLY ON THE WEB?

Access our electronic survey and instructions for electronic submission at
<http://www.EOSURVEY.dol.gov>

IF YOU NEED ANOTHER BLANK COPY OF THE EO SURVEY:

Contact the EO Survey Help Desk at 1-800-397-6443.

RETAIN A COMPLETED COPY OF THE EO SURVEY

You should retain a copy of your completed EO Survey. This will facilitate any discussions we may have with you should we need to call and clarify your responses.

Note: It is estimated that it will average approximately 21 hours to complete the survey. The collection of information has been approved under OMB number 1215-0196, expiration date March 31, 2003. Send any comments concerning this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Federal Contract Compliance Programs, Room C-3325, 200 Constitution Avenue, N.W., Washington, D.C. 20210. PERSONS ARE NOT REQUIRED TO RESPOND TO THIS COLLECTION OF INFORMATION UNLESS IT DISPLAYS A CURRENTLY VALID OMB NUMBER.

SPECIAL TERMS YOU NEED TO KNOW TO COMPLETE THE SURVEY:

Certifying Officer – An employee of your company or corporation working at this establishment that has the authority to certify the accuracy of EEO-1 Reports, Affirmative Action Programs, etc. (example: Human Resources Manager, Plant Manager, EEO Officer). The Certifying Officer should sign this EO Survey on the line indicated at right.

Federal contracting agency - Any department or agency in the executive branch of Government, including any wholly owned Government corporation, which enters into contracts.

Employer Identification Number - The 9-digit number which each corporation, partnership, or sole proprietorship has been assigned based on its application (Form SS-4) to Internal Revenue Service for an identification number.

Applicant – The concept of an applicant is that of a person who has indicated an interest in being considered for hiring, promotion, or other employment opportunity. This interest might be expressed by completing an application form, or might be expressed orally, depending upon the employer's practice.

Employees - For the purposes of this EO Survey, the term "employees" applies only to your "full time" employees, as the term "full time" is defined by your company. Do not report personnel activity or compensation data on "part time" employees, as the term "part time" is defined by your company.

Promotion - Any personnel action resulting in movement to a position (1) with higher pay or greater rank, or (2) requiring greater skill or responsibility, or (3) with the opportunity to attain increased pay, rank, skill, or responsibility.

Termination - Any separation, voluntary or involuntary, of an employee from your active or inactive payroll. A termination is a complete break in employment status.

Annual Monetary Compensation – An employee's base rate (wage or salary), plus other earnings such as cost-of-living allowance, hazard pay, or other increment paid to all employees regardless of tenure on the job, extrapolated and expressed in terms of a full year.

Tenure – Length of service; the length of time an employee has been employed by your company or corporation.

CONFIDENTIALITY:

OFCCP will treat the information you submit on this EO Survey as sensitive and confidential to the maximum extent possible under the Freedom of Information Act (FOIA), with the same disclosure safeguards that are applied to Affirmative Action Program data of a sensitive or confidential nature.

CERTIFICATION OF EO SURVEY

The following report is accurate and complete and was prepared in accordance with the instructions. Willfully false statements on this report are punishable by law. U.S. Code, Title 18, Section 1001.

**Name of
Certifying Officer (please print):** _____

Title: _____

**Signature of
Certifying Officer:** _____

Date: _____

**Telephone #
(please include area code):** _____

**Name of Person completing
this EO Survey (please print):** _____

Title: _____

**Telephone #
(please include area code):** _____



PART A – GENERAL INFORMATION

1. Your establishment's Employer Identification Number (IRS 9-digit tax number):
2. Information regarding a current Federal contract or subcontract for your corporation of at least \$50,000 (You may report any current Federal contract or subcontract of at least \$50,000).

If You are a Federal Contractor:

- a. Name of Federal contracting agency: _____
- b. Contract number: _____

If You are a Federal Subcontractor:

- c. Name of Prime contractor: _____
- d. Contract number: _____

3. Expiration date of your establishment's current Affirmative Action Program(s) addressing:

- a. Race, color, religion, sex, national origin (please enter date in MM/DD/YY format): ____/____/____

If you do not know the expiration date, check this box ☐

If your establishment does not have this document, check this box ☐

- b. Individuals with disabilities (please enter date in MM/DD/YY format): ____/____/____

If you do not know the expiration date, check this box ☐

If your establishment does not have this document, check this box ☐

- c. Vietnam Era, special disabled, and other protected veterans (please enter date in MM/DD/YY format): ____/____/____

If you do not know the expiration date, check this box ☐

If your establishment does not have this document, check this box ☐

4. Did your establishment list any employment openings with the local office of your state employment service and/or America's Job Bank during the period January 1 through December 31 of the most recently concluded calendar year, or during the 12-month period covered by your most recently concluded Affirmative Action Program (AAP) year, if it does not coincide with the calendar year?

No employment openings were listed ☐

No employment openings were listed, but all employment openings were either positions filled from within, executive and top management positions, or positions for 3 days employment or less ☐

Yes, employment openings were listed ☐

If yes, how many employment openings were listed?—[]

5. If your address or other identifying information on the mailing label was incorrect, please provide the corrected information below:

Establishment: _____

Street Address or P.O. Box: _____

City, State, Zip Code: _____

EEO-1 Number for this establishment: _____

Note: For complete guidance, refer to Executive Order 11246, as amended and its implementing regulations at 41 CFR Parts 60-1 through 60-50; Section 503 of the Rehabilitation Act of 1973, as amended and its implementing regulations at 41 CFR Part 60-741; and 38 U.S.C. 4212, the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), as amended and its implementing regulations at 41 CFR Part 60-250.

INSTRUCTIONS FOR PART B:

WHO TO REPORT ON: Part B information should include applicant, hiring, promotion, termination, and incumbency data for "full time" employees only, however the term "full time" is defined by your company.

TIME FRAME FOR REPORTING: Part B information should report on personnel activity covering your choice of one of the following two time frames:

- (1) The period January 1 through December 31 of the most recently concluded calendar year, or
- (2) The 12-month period covered by your most recently concluded Affirmative Action Program (AAP) year, if it does not coincide with the calendar year (for example, April 1 through March 31).

Regardless of which of the above time frames you wish to use, all Part B information must cover the same time frame.

Based on your choice of time frames, please report Applicants, Hires, Promotions, and Terminations for January 1 through December 31 of the most recently concluded calendar year, or for the 12-month period covered by your most recently concluded AAP year. Please report "Employees" as of December 31 of the most recently concluded calendar year, or the last day of the most recently concluded AAP year.

EEO-1 CATEGORY: For each personnel activity identified, fill in the total number for the action indicated, by gender, race, and ethnicity and EEO-1 category. The EEO-1 categories are: (1) Officials & Managers; (2) Professionals; (3) Technicians; (4) Sales Workers; (5) Office & Clerical; (6) Craft Workers; (7) Operatives; (8) Laborers; (9) Service Workers. All incumbents listed on the "Full Time Employees At End Of Year (Calendar or AAP)" page in Part B of this EO Survey must be accounted for and reported on in Part C.

WHAT TO REPORT - PERSONNEL ACTIVITY

Applicants - Please indicate the number of applicants for "full time" positions by gender, race, and ethnicity, sorted by EEO-1 category, for the period of January 1 through December 31 of the most recently concluded calendar year, or for the 12-month period covered by your most recently concluded AAP year.

Hires - Please indicate the number of hires for "full time" positions by gender, race, and ethnicity, sorted by EEO-1 category, for the period of January 1 through December 31 of the most recently concluded calendar year, or for the 12-month period covered by your most recently concluded AAP year. Do not include non-competitive transfers from other facilities of your company or establishment.

Promotions - Please indicate the number of promotions of "full time" employees by gender, race, and ethnicity, sorted by EEO-1 category, for the period of January 1 through December 31 of the most recently concluded calendar year, or for the 12-month period covered by your most recently concluded AAP year. Report the number of promotions within the EEO-1 category where it occurred, however, in instances where there are promotions from one EEO-1 category to another EEO-1 category, report those promotions in the EEO-1 category the individual was promoted into. For example, a person who is promoted from a junior engineer to a senior engineer would be counted as a promotion within the "Professional" EEO-1 category. A person promoted from a senior engineer to a manager would be counted as a promotion into the "Officials and Managers" EEO-1 category.

Terminations - Please indicate the number of terminations of "full time" employees by gender, race, and ethnicity, sorted by your choice of either EEO-1 category, for the period of January 1 through December 31 of the most recently concluded calendar year, or for the 12-month period covered by your most recently concluded AAP year. Include voluntary and involuntary terminations.

Employees at end of Calendar/AAP Year - Please indicate the number of incumbent "full time" employees by gender, race, and ethnicity, sorted by EEO-1 category, as of December 31 of the most recently concluded calendar year, or the last day of the most recently concluded AAP year.

ABOUT RACE/ETHNIC IDENTIFICATION FOR PART B - You may acquire race/ethnic information necessary for this survey either by visual observation of the work force, or from employment records. If you maintain records, we recommend that you keep them separately from the employee's basic personnel file or other records available to those responsible for personnel decisions. Since OFCCP permits visual observations, the fact that race/ethnic identifications are not present on employment records is not an excuse for omitting the data we request.

Note: The following reflects OMB guidelines regarding the recording and reporting of Hispanic or Latino ethnicity separately from the recording and reporting of racial data, and the establishment of "Native Hawaiian or Other Pacific Islander" as a separate racial category. If you have not yet adjusted your record keeping systems to reflect these changes, see the box at the bottom of this page.

Complete Part B using the following categories. Although persons may identify with more than one racial category, for this EO Survey count each person only once:

American Indian or Alaskan Native - A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains tribal affiliation or community attachment.

Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American - A person having origins in any of the Black racial groups of Africa. Terms such as "African" or "Negro" can be used in addition to "Black or African American."

Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White - A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

Hispanic or Latino (All races) - A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Hispanic or Latino (White race only) - A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, and of the White race.

Hispanic or Latino (all other races) - A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, and of any race other than White.

Race missing or unknown - Applies to Applicants only, where a resume or application that is screened is received without any racial or ethnic identification and no further contact is made with the applicant.

THE FOLLOWING INSTRUCTIONS APPLY ONLY TO EO SURVEYS COMPLETED AND SUBMITTED BEFORE JANUARY 1, 2002:

NOTE: If you have not yet adjusted your record keeping systems to capture and record racial/ethnic identification information in a manner that distinguishes Hispanics or Latinos as an ethnicity and identifies Hispanics and Latinos by the 5 racial categories defined above:

- Record all actions pertaining to Hispanics or Latinos in the **"Hispanic or Latino (all races)"** columns on pages 5, 6, 7, 8, and 9 of this EO Survey.
- Leave the **"Hispanic or Latino (White)"** and **"Hispanic or Latino (all other races)"** columns blank on pages 5, 6, 7, 8, and 9 of this EO Survey.

NOTE: If you have not yet adjusted your record keeping systems to capture and record racial/ethnic identification information in a manner that distinguishes "Native Hawaiians and Other Pacific Islanders" from "Asians" as they are defined above:

- Record all actions pertaining to Asians, Hawaiians, and Other Pacific Islanders in the **"Asian"** columns on pages 5, 6, 7, 8, and 9 of this EO Survey.
- Leave the **"Native Hawaiian or Other Pacific Islander"** columns blank on pages 5, 6, 7, 8, and 9 of this EO Survey.

PART B - PERSONNEL ACTIVITY BY EEO-1 CATEGORY - APPLICANTS

Time Frame: (check one):

☐ - The following personnel activity covers the most recently concluded calendar year

☐ - The following personnel activity covers the most recently concluded Affirmative Action Program year, which is not January 1 through December 31

OFFICIALS AND MANAGERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
PROFESSIONALS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
TECHNICIANS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
SALES WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
OFFICE AND CLERICAL	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
CRAFT WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
OPERATIVES	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
LABORERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									
SERVICE WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)	Race unknown
Male									
Female									

PART B - PERSONNEL ACTIVITY BY EEO-1 CATEGORY - HIRES
For Time Frame as Specified on Page 5 in Part B of this EO Survey

OFFICIALS AND MANAGERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
PROFESSIONALS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
TECHNICIANS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SALES WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OFFICE AND CLERICAL	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
CRAFT WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OPERATIVES	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
LABORERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SERVICE WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								

PART B - PERSONNEL ACTIVITY BY EEO-1 CATEGORY - PROMOTIONS
For Time Frame as Specified on Page 5 in Part B of this EO Survey

OFFICIALS AND MANAGERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
PROFESSIONALS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
TECHNICIANS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SALES WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OFFICE AND CLERICAL	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
CRAFT WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OPERATIVES	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
LABORERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SERVICE WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								

PART B - PERSONNEL ACTIVITY BY EEO-1 CATEGORY - TERMINATIONS
For Time Frame as Specified on Page 5 In Part B of this EO Survey

OFFICIALS AND MANAGERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
PROFESSIONALS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
TECHNICIANS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SALES WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OFFICE AND CLERICAL	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
CRAFT WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OPERATIVES	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
LABORERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SERVICE WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								

PART B - PERSONNEL ACTIVITY BY EEO-1 CATEGORY - FULL TIME EMPLOYEES AT END OF YEAR (CALENDAR OR AAP)
For Time Frame as Specified on Page 5 in Part B of this EO Survey

OFFICIALS AND MANAGERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
PROFESSIONALS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
TECHNICIANS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SALES WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OFFICE AND CLERICAL	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
CRAFT WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
OPERATIVES	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
LABORERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								
SERVICE WORKERS	American Indian or Alaska Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Hispanic or Latino (all races)	Hispanic or Latino (White race only)	Hispanic or Latino (all other races)
Male								
Female								

INSTRUCTIONS FOR PART C:

WHO TO REPORT ON: In order for your EO Survey to be considered a valid submission Part C must contain annual monetary compensation and tenure data for all employees listed as "Full Time Employees At End Of Year (Calendar or AAP)" on Page 9 in Part B of this EO Survey, and it must not include monetary compensation and tenure data for anyone else.

TIME FRAME FOR REPORTING: The time frame is December 31 of the most recently concluded calendar year, or the last day of the most recently concluded AAP year, whichever you chose for reporting on Page 9, Part B of this EO Survey.

MINORITY/NON-MINORITY: Employees are to be grouped and reported in four groups: **minority female, non-minority female, minority male, and non-minority male employees.** For the purposes of this EO Survey, a "non-minority" is defined as someone of the White race who is not of Hispanic (or Latino) ethnicity. A "minority" is defined as all races other than White or someone of the White race who is of Hispanic (or Latino) ethnicity, or someone who has reported more than one race.

EEO-1 CATEGORY: Employees are also to be sorted by EEO-1 category. The EEO-1 categories are: (1) Officials & Managers; (2) Professionals; (3) Technicians; (4) Sales Workers; (5) Office & Clerical; (6) Craft Workers; (7) Operatives; (8) Laborers; (9) Service Workers.

In order for your EO Survey to be considered a valid submission all end-of-year Incumbents listed on the "Full Time Employees At End Of Year (Calendar or AAP)" page in Part B of this EO Survey must be accounted for and reported on in Part C.

WHAT TO REPORT - ANNUAL MONETARY COMPENSATION: For the purposes of this EO Survey, annual monetary compensation is defined as an employee's base rate (wage or salary), plus other earnings such as cost-of-living allowance, hazard pay, or other increment paid to all employees regardless of tenure on the job. Annual monetary compensation should not include the value of benefits, overtime, or one-time payments such as relocation expenses. Annual monetary compensation should be expressed in terms of an annual amount.

Report total annual monetary compensation information for all employees reported in the "Full Time Employees at end of Calendar/AAP Year" columns in Part B of

this EO Survey. While all annual monetary compensation figures should be expressed in terms of a full year, please note that this figure *may not reflect an employee's actual earnings for a year.* For those employees who have worked less than a full year, (e.g., those employees hired within the last year), please project (extrapolate) their hourly or weekly rate to compute an annual rate.

WHAT TO REPORT - TENURE: For the purposes of this EO Survey, tenure is defined as the length of time an employee has been with your company.

For each relevant EEO-1 category please indicate:

Total Annual Monetary Compensation for All _____ Employees - Please indicate the annual monetary compensation earned by "full time" minority females, non-minority females, minority males, and non-minority males within each EEO-1 category. **Include only those employees listed in the "Full Time Employees at end of Calendar/AAP Year" page in Part B of this EO Survey.**

Lowest Annual Monetary Compensation of any Single _____ Employee - From the figures used to compute the Total Annual Monetary Compensation above, please indicate the lowest single annual monetary compensation among "full time" minority females, non-minority females, minority males, and non-minority males within each EEO-1 category. **Include only those employees listed in the "Full Time Employees at end of Calendar/AAP Year" page in Part B of this EO Survey.**

Highest Annual Monetary Compensation of any Single _____ Employee - From the figures used to compute the Total Annual Monetary Compensation above, please indicate the highest single annual monetary compensation among "full time" incumbent minority females, non-minority females, minority males, and non-minority males within each EEO-1 category. **Include only those employees listed in the "Full Time Employees at end of Calendar/AAP Year" page in Part B of this EO Survey.**

Average Tenure of _____ Employees with Firm - Please indicate the average length of time, in years and months, that "full time" incumbent minority females, non-minority females, minority males, and non-minority males within each EEO-1 category. **Include only those employees listed in the "Full Time Employees at end of calendar/AAP Year" page in Part B of this EO Survey.**

PART C – COMPENSATION DATA BY EEO-1 CATEGORY

Annual Monetary Compensation and Tenure Data by EEO-1 Category for
Employees listed in "FULL TIME EMPLOYEES AT END OF YEAR (CALENDAR OR AAP)" on Page 9 in Part B of this EO Survey

Check one:

- ☐ - The following compensation data covers full time employees as of the end of the most recently concluded calendar year
☐ - The following compensation data covers full time employees as of the most recently concluded Affirmative Action Program year,
 which is not January 1 through December 31

	MINORITY FEMALES					NON-MINORITY FEMALES				
	Total Annual Monetary Compensation for All Minority Female Employees	Lowest Annual Monetary Compensation of any Single Minority Female Employee	Highest Annual Monetary Compensation of any Single Minority Female Employee	Average Tenure of Minority Female Employees with Firm		Total Annual Monetary Compensation for All Non-Minority Female Employees	Lowest Annual Monetary Compensation of any Single Non-Minority Female Employee	Highest Annual Monetary Compensation of any Single Non-Minority Female Employee	Average Tenure of Non-Minority Female Employees with Firm	
				YEARS	MONTHS				YEARS	MONTHS
OFFICIALS AND MANAGERS										
PROFESSIONALS										
TECHNICIANS										
SALES WORKERS										
OFFICE AND CLERICAL										
CRAFT WORKERS										
OPERATIVES										
LABORERS										
SERVICE WORKERS										

PART C -- COMPENSATION DATA BY EEO-1 CATEGORY

Annual Monetary Compensation and Tenure Data by EEO-1 Category for
Employees listed in "FULL TIME EMPLOYEES AT END OF YEAR (CALENDAR OR AAP)" on Page 9 in Part B of this EO Survey

MINORITY MALES						NON MINORITY MALES					
	Total Annual Monetary Compensation for All Minority Male Employees	Lowest Annual Monetary Compensation of any Single Minority Male Employee	Highest Annual Monetary Compensation of any Single Minority Male Employee	Average Tenure of Minority Male Employees with Firm		Total Annual Monetary Compensation for All Non-Minority Male Employees	Lowest Annual Monetary Compensation of any Single Non-Minority Male Employee	Highest Annual Monetary Compensation of any Single Non-Minority Male Employee	Average Tenure of Non-Minority Male Employees with Firm		
				YEARS	MONTHS				YEARS	MONTHS	
OFFICIALS AND MANAGERS											
PROFESSIONALS											
TECHNICIANS											
SALES WORKERS											
OFFICE AND CLERICAL											
CRAFT WORKERS											
OPERATIVES											
LABORERS											
SERVICE WORKERS											

