

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SALARIES AND EXPENSES, HOUSING AND URBAN DEVELOPMENT

BUDGET ACTIVITY 14: DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY

SCOPE OF ACTIVITY

The Office of Departmental Equal Employment Opportunity (ODEEO) was established in 2003 as an independent office in the Office of the Secretary. The ODEEO is responsible for ensuring the enforcement of Federal laws relating to the elimination of all forms of discrimination in the Department's employment practices. The applicable laws include Title VII of the Civil Rights Act of 1964 (as amended), the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Equal Pay Act, and the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002. In addition, activities of the ODEEO are subject to Executive Order 11478, regulations promulgated by the U.S. Equal Employment Opportunity Commission (EEOC) at 29 CFR §1614, EEOC Management Directives MD-110 and MD-714, and Departmental regulations promulgated at 24 CFR Part 7. The Office has nationwide responsibility for the Department's Equal Employment Opportunity Programs. The ODEEO planning and implementing the Department's Equal Employment Opportunity/Affirmative Employment (EEO/AE) activities pursuant to the HUD regulation at 24 CFR Part 7 and Federal Regulation at 29 CFR 1614. The activities of the ODEEO are carried out through the functions of three Divisions: the Equal Employment Opportunity Division, the Affirmative Employment Division, and the Alternative Dispute Resolution Division.

The staff is comprised of Equal Employment/Affirmative Employment (EE/AE) Specialists in Headquarters, support personnel, and permanent full-time EEO Counselors in the Field and one in Headquarters. This staff is supplemented with collateral duty EEO Discrimination Complaint Managers, Affirmative Employment Program Managers and Diversity Managers located in the HUD Program Offices.

WORKLOAD

Equal Employment Opportunity Division

In accordance with regulations promulgated by the Equal Employment Opportunity Commission (EEOC) and the Department, the Equal Employment Opportunity Division performs a number of functions including complaint processing, counseling and managing the conduct of the investigation of discrimination complaints filed by HUD employees, former employees and applicants for employment. The Division provides training for EEO Counselors and Program Office Discrimination Complaint Managers and drafts final decisions for the Director of EEO including remedial orders and recommendations for disciplinary action. The Division also maintains the Department's Equal Employment Opportunity Tracking System and provides assistance to EEO Officers and Discrimination Complaint Managers (DCMs). It is anticipated that in the coming fiscal year, the Department will process approximately 275 EEO complaints.

Affirmative Employment Division

The Affirmative Employment Division (AED) provides centralized leadership, coordination, monitoring, and evaluation of the Departmentwide Equal Employment Opportunity and Affirmative Employment (EEO/AE) Programs. The AED is responsible for the management of the Department's Affirmative Employment Program (AEP), the management and monitoring of the Department's Diversity Action Plan, the analyses of demographic data on HUD employees and applicants for HUD employment and the preparation of AEP Accomplishment Reports and Program Plan Update Reports covering minorities, women and persons with disabilities as required by the Equal Employment Opportunity Commission (EEOC). The Division prepares the Department's Federal Equal Opportunity Recruitment Plan (FEORP) and Disabled Veterans Affirmative Action Program (DVAAP) Reports as required by the Office of Personnel Management (OPM). The Division also provides oversight, coordination, and funding of Special Emphasis Program observances.

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Alternative Dispute Resolution Division (ADR)

The Alternative Dispute Resolution (ADR) Division is responsible for resolving Equal Employment Opportunity discrimination complaints informally and early in the dispute. The ADR Program is established in accordance with The Equal Employment Opportunity Commission regulation published at 29 CFR 1614.102 (b) (2). The objectives of the program are to reduce the number of HUD EEO cases, reduce expenses incurred through the traditional administrative complaint process, reduce employees'/managers' time spent in litigation and away from the job, improve overall organizational ability to resolve conflict early in the dispute and at the lowest level possible, improve morale, and improve productivity and performance. The core principles of the ADR Program are voluntariness, neutrality, confidentiality, and enforceability.

TRAVEL

The table below identifies travel requirements unique to this activity.

	ACTUAL 2003	ENACTED 2004	ESTIMATE 2005	INCREASE + DECREASE - 2005 vs 2004
	(Dollars in Thousands)			
Travel .....	\$2	\$16	\$16	...
Total.....	2	16	16	...

The travel funding requested for fiscal year 2005 will enable the ODEEO to provide quality services in furtherance of its goal to maintain the Public Trust. It will enable staff to obtain regulatory required training and certification and allow attendance at annual conferences to keep abreast of the latest developments in procedures, laws and interpretations related to EEO. The Director of ODEEO will travel to Field Offices to meet with the Regional Directors and program office directors to provide technical assistance and guidance in support of the administration of the Department's EEO Program. EE Specialists will travel within their jurisdictions to monitor EEO complaint processing activities, monitor performance of contract investigations and ADR activities. Funding is required for travel to the Field to monitor and evaluate implementation of EEO/AE efforts as part of HUD's Management Plan. Implementation of the ADR Program requires ADR staff to travel to the Field for training and monitoring of the program. Finally, Affirmative Employment Division (AED) staff will be required to attend training conferences sponsored by EEOC, OPM and HUD contractors to be fully briefed on the latest techniques for preparing Affirmative Employment Plans and methods of effecting Affirmative Employment and Managing Diversity. In order for the Diversity Program to be successful, it must be administered through the use of effective strategies for the development and management of qualified minorities, women and persons with disabilities.

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CONTRACTS

The table below identifies contract requirements unique to this activity.

	ACTUAL 2003	ENACTED 2004	ESTIMATE 2005	INCREASE + DECREASE - 2005 vs 2004
		(Dollars in Thousands)		
Technical Services .....	...	\$572	\$575	+\$3
Total.....	...	572	575	+3

Technical Services. Funding is requested in fiscal year 2005 for EEO contract investigations and for the continuation of the Department's Diversity Program. In addition to the contracting of investigations, funding is requested for contracting of the preparation of Final Decisions (FDs) and for ADR activities needed to reduce the backlog of EEO complaints. The EEOC has mandated in their latest regulations that all agencies have an ADR Program in place. Funding is included for the training of all managers, supervisors and staff on the use of HUD's ADR Program. It is the policy of the Department to use ADR in the settlement of all appropriate workplace disputes, consistent with ADR's core principles of neutrality, confidentiality, voluntariness and enforceability. Additionally, funding is needed for ODEEO to maintain and enhance its automated complaint and correspondence tracking system and to integrate applicant flow data to ensure compliance with the Uniform Employment Guidelines issued by the EEOC.

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**OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY**  
**Personal Services**  
**Summary of Change**  
**(Dollars in Thousands)**

<u>Personal Services</u>	<u>FTE</u>	<u>S&amp;E Cost</u>
2003 Actual.....	29	\$2,743
2004 Appropriation/Request.....	29	3,319
<u>Changes Due To</u>		
2005 January Pay Raise.....	0	37
2004 January Pay Raise.....	0	34
Staffing increase/decrease.....	0	0
Other benefit changes.....	0	57
2005 Request.....	29	3,447

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OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY  
 Summary of Requirements by Grade  
 Salaries and Expenses  
 (Dollars in Thousands)

	<u>2003 Actual</u>	<u>2004 Appropriation/ Request</u>	<u>2005 Request</u>	<u>Increase/ Decrease</u>
Grade:				
Executive Level	0	0	0	0
ES-6	0	0	0	0
ES-5	0	0	0	0
ES-4	1	0	0	0
ES-3	0	0	0	0
ES-2	0	1	1	0
ES-1	0	0	0	0
GS-15	5	5	5	0
GS-14	1	1	1	0
GS-13	10	13	13	0
GS-12	4	4	4	0
GS-11	0	0	0	0
GS-10	0	0	0	0
GS-9	0	1	1	0
GS-8	3	3	3	0
GS-7	1	0	0	0
GS-6	1	1	1	0
GS-5	0	0	0	0
GS-4	0	0	0	0
GS-3	0	0	0	0
GS-2	0	0	0	0
GS-1	0	0	0	0
Total Positions	26	29	29	0
Average ES Salary	\$133,800	\$122,000	\$122,000	0
Average GS Salary	\$60,006	\$62,466	\$63,403	+\$937
Average GS Grade	12.2	12.3	12.3	0

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**OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY**  
**Summary of Requirements by Object Class**  
**Salaries and Expenses**  
 (Dollars in Thousands)

<u>Object Class</u>	<u>2003 Actual</u>	<u>2004 Appropriation/Request</u>	<u>2005 Request</u>	<u>Increase/Decrease</u>
Personal Services.....	\$2,743	\$3,319	\$3,447	\$128
Travel and Transportation of Persons.....	2	16	16	0
Transportation of Things.....	0	0	0	0
Rent, Communication & Utilities.....	0	0	0	0
Printing and Reproduction.....	0	4	4	0
Other Services.....	0	572	575	3
Supplies and Materials.....	6	7	7	0
Furniture & Equipment.....	0	0	0	0
Insurance Claims & Indemnities.....	0	0	0	0
Total Obligations.....	2,751	3,918	4,049	+131

**Overall Summary of Departmental Equal Employment Opportunity Staff Requirements**

	FTE			
	Actual 2003	Estimate 2004	Estimate 2005	Increase + Decrease - 2005 vs 2004
Headquarters.....	29.0	29.0	29.0	0.0
Field .....	0.0	0.0	0.0	0.0
<b>Total .....</b>	<b>29.0</b>	<b>29.0</b>	<b>29.0</b>	<b>0.0</b>

**Summary of Departmental Equal Employment Opportunity Staff Requirements**

	Actual 2003	Estimate 2004	Estimate 2005	Increase + Decrease - 2005 vs 2004
<b><u>Headquarters Employment</u></b>				
OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY, OFFICE OF THE SECRETARY	29.0	29.0	29.0	0.0
<b>Total .....</b>	<b>29.0</b>	<b>29.0</b>	<b>29.0</b>	<b>0.0</b>

**Detail of Departmental Equal Employment Opportunity Staff Requirements**

Workload Guideline	Workload Indicator	----- Fiscal Year 2003 -----			----- Fiscal Year 2004 -----				----- Fiscal Year 2005 -----			
		Projected Accomplish- ment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplish- ment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplish- ment	Projected Unit Cost (Hrs)	FTE
<b>Headquarters Employment</b>												
OFFICE OF DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY, OFFICE OF THE SECRETARY												
Departmental Equal Employment Opportunity - Director's Office	NA			4.0				5.0				5.0
Administrative Support	N/A			2.0				3.0				3.0
Alternative Dispute Resolution Program	#ADR cases processed during the month	28	224.00	3.0		38	224.00	4.1		38	224.00	4.1
Affirmative Employment Program	NA			3.0				3.0				3.0
EEO Counseling and Complaint Program	#EEO Complaints in process at the end of the month	290	119.00	17.0	3.0	245	119.00	13.9		244	119.00	13.9
<b>Subtotal</b>				<b>29.0</b>				<b>29.0</b>				<b>29.0</b>