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Federal Women's Program (FWP) - History and Current Status

Executive Summary: Office of Personnel Management (OPM) regulations implementing Public Law 92-261, the Equal Employment Opportunity (EEO) Act of 1972, require that federal agencies designate a Federal Women's Program Manager (FWPM) to advise the director of EEO on matters affecting the employment and advancement of women. This law also requires that federal agencies allocate sufficient resources for these programs. We have been working closely with the White House Council on Women and Girls and OPM to return the Federal Women's Programs to their full effectiveness and potential as originally envisioned in 1972.

Background: In 1967, Executive Order 11375 added sex to other prohibited forms of discrimination. In response to this action, OPM established the FWP and in 1969, Executive Order 11478 integrated the FWP into the EEO Program. The FWP's primary focus is to address the employment needs (i.e., recruitment, training/ educational, retention, upward mobility, career counseling, mentoring, promotion, equity in pay, etc.) and barriers (i.e., sex discrimination, sexual harassment, hostile work environment, etc.) of women as they relate to Federal employment policies, practices and related initiatives. FWP Managers advise management on the status and progress of the program and the concerns of women in the organization. They serve as the primary contact person for all women in the agency for gender discrimination questions.

The Issue: FEW is very concerned that since FWP's inception 37 years ago, the effectiveness of FWPs has gradually eroded to the point of almost non-existence where half the agencies do not even comply with reporting requirements with respect to these programs. Furthermore, the regulatory language concerning these requirements is vague and allows agencies to degrade the importance of the programs. For example, according to 29 CFR 1614.102(b)(4), the regulatory basis is as follows:

Designate a Director of Equal Employment Opportunity and such Special Emphasis Program Managers (i.e., People with Disabilities Program, Federal Women's Program and Hispanic Employment Program), clerical and administrative support *as may be necessary* (our emphasis) to carry out the functions described in this part.

Finally, the actual OPM implementation language cannot be found, and therefore cannot be used as a guide for new FWPMs to understand their responsibilities and requirements. While our understanding is that these instructions included requiring each agency to develop a Plan of Action, to designate an FWP Coordinator, and to submit a periodic progress report to OPM, our efforts to obtain the actual implementation language or these plans have been futile. Additionally, attempts to locate personnel at OPM with historical knowledge about the FWP have also failed.

The eroding effectiveness of the FWP has been questioned as far back as August 1980 when the Government Accountability Office (GAO) issued a report (“How to Make Special Emphasis Programs an Effective Part of Agencies’ EEO Activities,” FPCD-80-55 August 27, 1980) concluding that “Special Emphasis Programs (under which category FWP falls) are loosely operated and do not set out specific goals, resource requirements, timetables, programs costs and activities.” Furthermore, “top management’s participation in and commitment to these programs vary greatly. Coordinators and agency management must have a clear understanding of what is expected.” We could not agree more with these conclusions.

The Solution: Federally Employed Women (FEW) believes that either a revised Executive Order and/or detailed instructional memorandum must be issued from the White House to all agencies in order to:

- Specifically outline the requirements of agencies’ FWPs;
- Specifically delineate the responsibilities of the FWPMs;
- Provide more specific details on what support FWPMs should receive;
- Provide an enforcement mechanism for agencies not complying with the requirements; and
- Make the agency progress reports, list of FWPMs and Plans of Action available and transparent to federal workers, stakeholders and interested parties.

How FEW Can Help: FEW wants the FWP to succeed and therefore is offering to help in any way possible to make these programs effective. Our organization has an already-established and comprehensive training program, including a specific track for FWP training, which is offered during our Annual National Training Program held in July. Our leaders would be eager to assist the White House and OPM in constructing an effective training curriculum and program to help FWPMs fulfill their responsibilities and fully understand the role of the FWP.

Our organization is so firmly committed to the success of the FWP that its membership approved of a Resolution directing the National Board of Directors to develop a Plan of Action to pursue initiatives to make the FWP as effective as it was intended to be almost 40 years ago (Please refer to Appendix A).

Conclusion: Women in the federal workforce still are experiencing discrimination, as well as a lack of adequate mentoring and training opportunities to successfully move up through the ranks of the federal government. Women still account for only 29.1% of the Senior Executive Service (SES) and 37.2% of GS13-15 levels despite the fact that 44.2% of the federal workforce overall are women. At its inception, the FWP was intended to help women overcome these hurdles and experience a positive and the same career advantages in the federal government as their male counterparts. However, as the years passed the importance and effectiveness of these offices continued to drastically decrease to a point now where the majority of agencies are not complying with the reporting requirements; the portfolios of the FWPMs are so overloaded that they simply cannot do an adequate job; and funding for running these programs is extremely low.

The purpose and importance of the FWP in our federal government is still much needed today. However, managers and officials need clear guidance on what is expected of them in maintaining and supporting these programs.

APPENDIX A.

RESOLUTION OF PROGRAM DIRECTION

Federal Women's Program
presented to the membership of

FEDERALLY EMPLOYED WOMEN

at its Annual Membership Meeting
July 18, 2008

WHEREAS as a matter of history, between 1961 and 1967, the status of women in federal employment received attention from a number of sources. This included activities such as the establishment of the Federal Women's Award and the Commission on the Status of Women, revocation of an 1870 law that allowed selecting officials to specify the sex of a job applicant, publishing of data on women and their progress in the Federal workforce, passage of the Civil Rights Act of 1964, and appointment of a Study Group to recommend ways to improve careers for women in the Executive Branch. The end result was Executive Order 11375; and

WHEREAS on October 13, 1967, President Lyndon Johnson signed Executive Order (E.O.) 11375 that added "sex" to the other forms of discrimination prohibited within the federal government and by federal contractors outlined in Executive Order 11246; and

WHEREAS the Civil Service Commission (now the Office of Personnel Management) was directed by the President of the United States to implement the Executive Order by providing policy-level guidance and program leadership for this government-wide program; and to provide agencies with instructions to implement their programs; and

WHEREAS the CSC/OPM instructions included requiring each agency to develop a Plan of Action, to designate a Federal Women's Program Coordinator, and to submit a periodic progress report to the Commission (now OPM); and

WHEREAS during a training seminar in 1967, a group of federal women from throughout the United States learned about this Federal Women's Program (FWP), established by the federal government to improve the status of federally employed women, however also learned that few agencies had acted on the instructions from the CSC/OPM; and

WHEREAS these women began work to create a private-sector organization that would work to ensure that agencies put forth vigorous effort to implement the Executive Order by tracking all programs and policies of relevance to current and prospective federal women employees; and

WHEREAS early organizers realized that the government could dismantle FWP, and wanted to ensure that there would always be an organization dedicated to promoting equality for women and addressing concerns of women in the Federal workforce; and

WHEREAS Federally Employed Women (FEW), a membership organization, was founded in 1968 whose mission was and still is to work exclusively to end sex discrimination and toward the advancement of women in federal service; and

WHEREAS during its 40 year history, FEW has worked with OPM and Federal Agencies to keep the FWP strong, and has undertaken studies to determine the status of women in federal employment; and

WHEREAS FEW national officers meet with management officials at all levels of agencies to demonstrate support of the FWP, encourage officials to support the program and to obtain insight on the effectiveness of the FWP at agency and local levels; and

WHEREAS FEW last published "*A Report of a Survey on Women and the Federal Women's Program in the Federal Government*" in May, 1991, over 17 years ago; and

WHEREAS reports from members and employees in FWP and EEO occupations and a 2008 FEW survey distributed to 28 departments and agencies resulted in less than a 7% return rate gives strong indication that the FWP is indeed moving into oblivion, the exact direction early FEW organizers feared it would; now therefore,

BE IT RESOLVED that the membership of Federally Employed Women directs the National President and National Board of Directors to develop, staff, fund, implement and carry out a Strategic Plan of Action to:

1. Determine the status of the Federal Women's Program in all major departments and agencies through whatever means is necessary;
2. Construct and maintain a current contact list of the Federal Women's Program Managers (FWPM) in these major departments and agencies, both in Washington, D.C. and throughout federal installations in the U.S. and abroad;
3. Communicate with these FWPMs to obtain annual documentation:
 - a. of FWP activities
 - b. agency funding for FWP activities
 - c. FWP training and development plans
 - d. the current status of women in these major departments and agencies;
4. Reissue the recent Survey on Women and the Federal Women's Program, and study and publish the results;
5. Complete this Plan of Action and report back to the membership at the Annual Membership Meeting held during the 2009 National Training Program in Orlando, Florida next July; and
6. Publish monthly progress reports to the membership beginning in September, 2008, on the actions taken to complete this resolution on FEW's website www.few.org and bi-monthly in *FEW's News & Views*.