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Criteria for Appointing FWPMs/SEPMs

The Law

OPM regulations implementing Public Law 92-261 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. Subsequent regulations were issued establishing Special Emphasis Program Managers (SEPMs) to advise on minorities and disabled federal workers.

The Problem

OPM guidelines concerning the criteria for appointing FWPMs and SEPMs are extremely vague. 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.

In addition, scores of federal agencies no longer, or never have, appointed an FWPM or SEPM. Instead EEO Officers perform all of these functions which is far too large of a workload for one person, along with their other EEO responsibilities and tasks.

The Solution

New and more detailed OPM guidelines need to be issued with specific requirements on appointing FWPMs and SEPMs. Our proposed language:

All cabinet departments and independent agencies employing over 7,500 persons must designate full-time FWPMs. Smaller agencies and field installations should designate full-time FWPMs whenever two or more of the following circumstances are found:

- Women are substantially (under 45% which is actual percentage of women in entire federal workforce) under-represented at higher grade levels.
- Few or no women are represented in a large number of agency occupations.
- There is a significant number of discrimination complaints (i.e., more than 50 cases per fiscal year within an agency) based on sex.

- There is limited movement of women from clerical and other support positions to professional or analyst series positions.
- There is a large and continuing gap (over 10%) between the average grades of men and women in professional series positions.

The same criteria should be established for designating a full-time SEPM and should cover minorities and disabled workers in that agency.

Even if smaller agencies are not experiencing these problems, they still need to designate employees to carry out FWP and SEP responsibilities by assigning them as a collateral duty. However, a collateral-duty EEO official should spend at least 20% of her/his time on these job responsibilities. Agencies must also document these collateral duties in the “official position description that covers the position the employee occupies.”

When EEO collateral duties are assigned, a memorandum of understanding must be prepared by the employee’s immediate supervisor and the EEO official outlining the conditions which should accompany the employee’s assignment. The conditions include how and when the employee will be assigned EEO work, how she/he will get administrative support and office facilities and supplies, including any budget allotment to support their assigned program, to perform the EEO duties, and how the employee’s performance of EEO work will be included in her/his performance appraisal.

Following the completion of the memorandum, supervisors and managers must cooperatively discuss what funding will be needed to complete these responsibilities. The agreed-upon funding total must be provided by the agency.

All agencies must provide OPM with the name and contact information and training completion date for their FWPMs and SEPMs. The comprehensive list must be made available to interested stakeholders, federal employees and other groups requesting this information.