



The Library of Congress  
*Office of the Inspector General*



*Review of the Library's  
Diversity Management Program*

Report No. 2008-SP-104  
July 2008



THE LIBRARY OF CONGRESS  
WASHINGTON, D.C. 20540-1060

OFFICE OF THE  
INSPECTOR GENERAL

The Honorable Danny K. Davis  
Chairman, Subcommittee on Federal Workforce,  
Postal Service, and the District of Columbia  
House of Representatives

July 18, 2008

Dear Mr. Chairman:

In response to your request, this report discusses the Library's diversity management program and initiatives. Our objectives were to: 1) determine whether the Library's diversity programs/initiatives are achieving better representation of women and minorities in top leadership positions; 2) evaluate the accuracy and completeness of the complaint and discrimination data the Library has reported to Congress; and 3) assess the extent to which the Library's diversity offices are independent of its General Counsel and the Librarian. We include recommendations to the Librarian to assist the Library in enhancing its diversity management efforts.

The Library's General Counsel, Director of Human Resources Services, and Acting Director of the Office of Workforce Diversity provided written comments to our draft report. Their responses are briefly summarized in the Executive Summary and in more detail after individual recommendations appearing in the body of the report. The complete responses are included as an appendix to the report.

We are sending copies of this report to the Library officials listed below. We will also provide copies to others on request.

If you or your staff have any questions about this report, please contact me at (202) 707-2637 or [kasc@loc.gov](mailto:kasc@loc.gov). OIG staff who have made major contributions to this report are listed at the end of the report.

A handwritten signature in black ink, appearing to read "Karl W. Schornagel".

Sincerely yours,  
Karl W. Schornagel  
Inspector General,  
The Library of Congress

cc: James H. Billington, Librarian of Congress  
Jo Ann C. Jenkins, Chief Operating Officer  
Elizabeth A. Pugh, General Counsel  
Dennis M. Hanratty, Director of Human Resources Services  
Jessie James, Acting Director of the Office of Workforce Diversity

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## ▶▶ EXECUTIVE SUMMARY

We performed a review of the Library's diversity management program and initiatives in response to a request by the Chairman of the Federal Workforce, Postal Service, and District of Columbia Subcommittee of the House of Representatives' Oversight and Government Reform Committee. Our objectives were to: 1) determine whether the Library's diversity programs/initiatives are achieving better representation of women and minorities in top leadership positions; 2) evaluate the accuracy and completeness of the complaint and discrimination data the Library has reported to Congress; and 3) assess the extent to which the Library's diversity offices are independent of its General Counsel and the Librarian.

**Overall, we determined that the Library is committed to diversity.**

For the fiscal year ended September 30, 2007, the Library reported a total workforce of 3,786 staff of which 55.2 percent were women and 45.6 percent were minorities. Included in this workforce are 95 Senior Level Executives of which 43.2 percent were women and 21.1 percent were minorities. Although diversity within the Library's Senior Level Executive positions was less than the Library's overall workforce, it was higher than in the Senior Executive Service (SES) in the executive branch agencies.

Overall, we determined that the Library is committed to diversity. Union officials we interviewed believed that the Library's diversity and equal employment policies and procedures, as well as its Merit Selection Plan (adopted June 2005), promote diversity in the workplace.

**Progress Has Been Made in Improving the Developmental Pool** — Notwithstanding the favorable comparison of the Library's Senior Level staffing with the executive branch SES and the genuine efforts we believe the Library is making/has made to improve diversity, diversity in the Library's senior level positions has remained constant since 2002. However, it has made strides in improving diversification in its GS-13 to GS-15 positions. This bodes well for the future because GS-15 positions are widely considered the developmental pool for senior level jobs.

The Library's efforts to achieve more diversity in its management/supervisory positions are hindered by the availability of qualified applicants. According to the American Library Association (ALA), the percentage of credentialed minority librarians lags significantly behind the representation of minorities in the civilian labor force. This highlights the importance of in-house grooming of current staff through training and mentoring programs.

**The Library of Congress is Exemplifying Many of the Best Practices for Its Diversity Management** — Our assessment found that the Library is following most of the best practices recommended by the Government Accountability Office (GAO) and the Equal Employment Opportunity Commission (EEOC). This includes linking its diversity plan and its strategic plans and including diversity as a major element in managers' performance requirements. The Office of Workforce Diversity (OWD) is taking steps to better focus its efforts on identifying potential systemic barriers, if any, impeding full minority participation in upper level positions.

In addition to increasing its focus on barrier analysis and measuring program effectiveness, the Library needs to complete its succession planning efforts which are a major element in diversity management. The Library also needs to ensure that the service units are committing to and implementing diversification activities. Success of the Library's affirmative action initiatives depends, in large part, on the service units' success in providing equal employment and affirmative action opportunities.

**Diversity Office is Independent and its Data is Accurate and Complete** — Results of tests we performed showed that the Library's EEO data is accurate and complete. Likewise, we concluded that the Library's Office of Workforce Diversity and its component Equal Employment Opportunity Complaints Office (EEOCO) is independent of the Library's General Counsel, Human Resources Director, and, to the extent practical, the Librarian. Moreover, the EEOCO Chief has appropriate authority and resources to independently and effectively carry out a successful EEO program. Library management agreed with our findings and recommendations (see Appendix IV).

**The Library is following most of the best diversity practices recommended by GAO and EEOC.**

## ▶▶ INTRODUCTION

The collective knowledge of any group is enhanced when it includes people with diverse experience and backgrounds. Accordingly, it is important for a federal organization to value, achieve, and maintain a workforce that fully reflects the diversified U.S. population. In the words of the U.S. Government Accountability Office (GAO), diversity management is “a process intended to create and maintain a positive work environment where the similarities and differences of individuals are valued, so that all can reach their potential and maximize their contributions to an organization’s strategic goals and objectives.”

The Chairman of the Federal Workforce, Postal Service, and District of Columbia Subcommittee of the House of Representatives’ Oversight and Government Reform Committee recently requested that the legislative branch agencies’ Inspectors General review their agencies’ respective diversity offices. The Chairman’s request was prompted by Subcommittee concerns involving the representation of women and minorities in senior level positions.

We had evaluated the operation of the Library of Congress’ Office of Workforce Diversity (OWD) in 2007.<sup>1</sup> In that report, we concluded that the Library’s OWD was overstaffed and over-graded, had not properly focused its affirmative action program, had no clear performance management guidance, and was costing far more to operate than comparable diversity functions in other agencies. We recommended that OWD perform regular systematic workforce and workload analyses, identify and define systemic barriers to equal opportunity, and develop practical solutions to address these problems.

To respond to the Subcommittee Chairman’s request, we looked more closely at the Library’s management of workforce diversity, and especially its management of Senior Level positions which are the equivalent of Senior Executive Service (SES) positions in the executive branch.

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<sup>1</sup>*Review of the Office of Workforce Diversity*, Report No. 2007-SP-103, September 2007.

## ▶▶ BACKGROUND

The Library of Congress is the nation's oldest federal cultural institution and serves as the research arm of Congress. It is also the largest library in the world, with millions of books, recordings, photographs, and other materials in its collections.

One of the five broad goals in the Library's 2008-2013 Strategic Plan is to "cultivate a talented diverse community of innovators devoted to public service." More specifically, the Strategic Plan states, "[t]he Library will refine its workforce by fostering diversity and improving and sustaining the skills of its staff, recognizing that the talents and efforts of the Library's workforce are inextricably linked to its mission and core purpose." The primary dimensions of diversity include: age, gender, ethnic heritage, race, mental/physical abilities, and sexual orientation. This report focuses on gender, ethnic heritage, and race.

Except for its representation of Hispanics, the workforce's make-up compares favorably with the civilian workforce of the executive branch and the non-government local and national labor forces. Although it is not required to conform to Equal Employment Opportunity Commission (EEOC) guidance to the executive branch of government, the Library has elected to generally follow the Commission's Management Directive 715.<sup>2</sup> The directive's principal objective is to ensure that all employees and applicants for employment are provided equal opportunity in the federal workplace.

For the fiscal year ended September 30, 2007, the Library reported a total workforce of 3,786, including 1,697 men and 2,089 women

LOC Overall Workforce	African American	American Indian/ Native American	Asian/ Pacific Islander	Hispanic	White	Total
Number of Staff	1,358	17	253	97	2061	3,786
Percentage	35.9%	0.4%	6.7%	2.6%	54.4%	100.0%

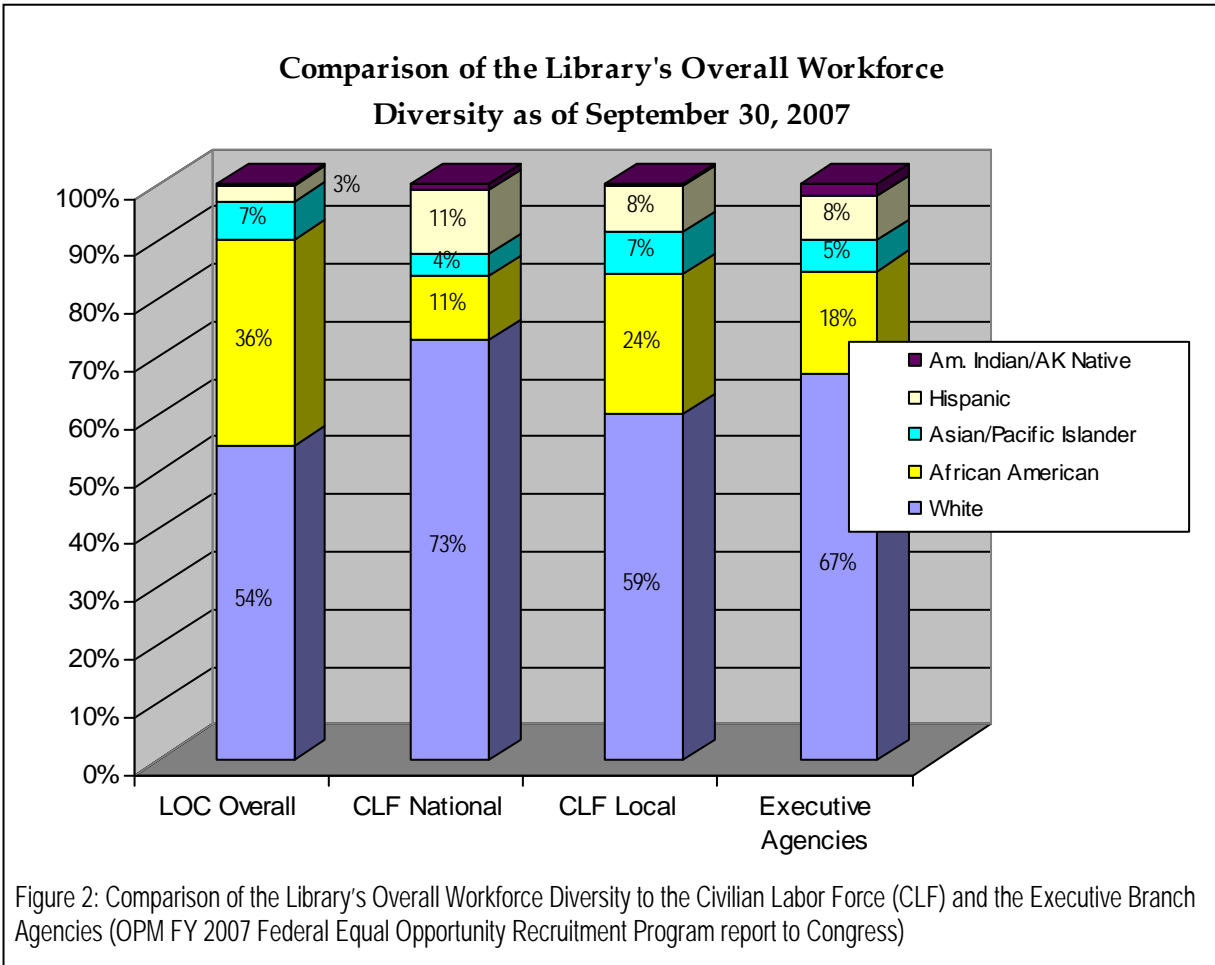
Figure 1: Breakdown of the Library's Overall Workforce as of September 30, 2007

(permanent and permanent-conditional appointments, including time-limited appointments, and excluding temporaries). Overall, the

<sup>2</sup> This Directive provides policy guidance and standards for establishing and maintaining effective affirmative programs of equal employment opportunity, Section 717 of Title VII (PART A), and effective affirmative action programs under Section 501 of the Rehabilitation Act (PART B).

Library employs a diverse workforce. Except for its representation of Hispanics, the workforce's make up compares favorably with the executive branch and the overall civilian labor force. The Library's African American representation exceeds both of these benchmarks.

Library of Congress Regulation (LCR) 2017-2.1, *Senior Level Executive System*, covers positions designated by the Librarian of Congress and classified above GS-15 of the General Schedule. These positions are paid in accordance with the Federal Employees Pay Comparability Act of 1990 (FEPCA), Public Law 101-509 of November 5, 1990, which

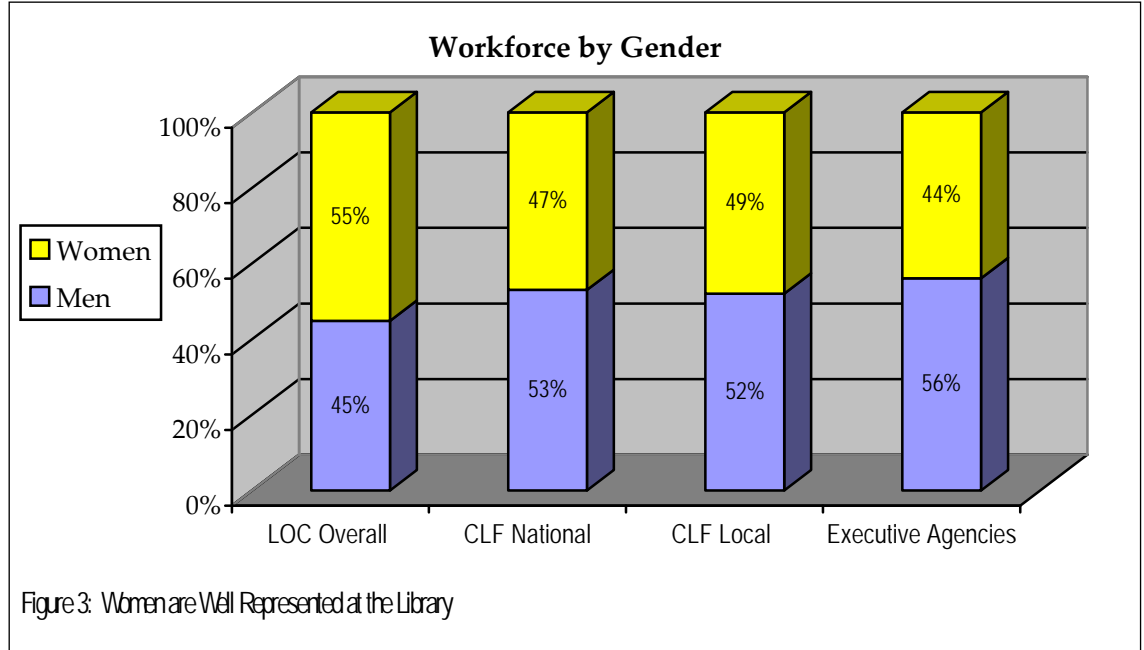


abolished super grade positions (i.e., those classified at the GS-16, GS-17, GS-18 levels or their equivalents) and established a new Senior Level Executive system covering those positions. Subject to statutory limits, the Librarian has final authority for the system's administration which includes position planning, staffing, and utilization; executive development; performance appraisals; performance awards; and pay administration.



The Library’s Performance Review Board (PRB), which includes the Associate Librarians who supervise and manage subordinate Senior Level Executives, reviews all Senior Level Executive appraisals except for those applicable to executives who report directly to the Librarian. The PRB reviews ensure that the executives are evaluated in a

consistent and equitable manner. The PRB also recommends changes in the performance appraisal system, analyzes appraisal trends, and recommends measures for executive development. The Library



employed 95 permanent and permanent-conditional Senior Level Executives at the end of FY 2007 <sup>3</sup> with women accounting for 43.2 percent and minorities 21.1 percent of the positions. This places the Library in the top 5 of the EEOC’s “Ranking of Agencies with the Highest Percentage of Women in Senior Pay Level Positions in FY 2006 (Agencies with 500 or More Employees).” The Library’s Senior Level corps is not as diverse as the Library’s overall workforce. However, it does compare favorably with the executive branch SES.

Women represent 50.3 percent and minorities 25.6 percent of the Library’s GS-13 to GS-15 range (considered the developmental pool to the Senior Level). In contrast, in the executive branch, females account for only 36.2 percent and minorities 24.2 percent within the same grade range.

<sup>3</sup> In addition to these 95 Senior Level Executive positions, the Library has three Executive Schedule appointed employees: The Librarian of Congress, the Director of the Congressional Research Service, and the Register of Copyrights.

The Library established the OWD as part of a 2003 reorganization to consolidate and maximize operating efficiencies of key workforce diversity activities. The reorganization placed this new office in a direct reporting line to the Office of the Librarian. In addition to the Director’s immediate office, OWD includes the Equal Employment Opportunity Complaints Office (EEOCO), the Dispute Resolution Center (DRC), and the Affirmative Action and Special Programs Office (AASPO).

OWD monitors and evaluates the Library’s progress in achieving outcomes of the Multi-Year Affirmative Employment Program Plan (MYAEPP). The office provides guidance and advice to the Librarian, the Chief Operating Officer, service units, infrastructure support offices, managers, supervisors, and employees in establishing and implementing policies and plans to achieve the MYAEPP outcomes. It has provided diversity training for all staff, managed mentoring

FY 2007 LOC Senior Level Positions <sup>4</sup>	African American	American Indian/ Native American	Asian/ Pacific Islander	Hispanic	White	Total*	Male	Female
LC Number	11	1	5	3	75	95	54	41
LC Percent	11.6%	1.0%	5.3%	3.2%	78.9%	100.0%	56.8%	43.2%
Executive Branch SES <sup>5</sup>	8.5%	1.3%	2.3%	3.6%	83.9%		70.9%	29.1%

Figure 4: Library’s Senior Level Executive Positions as of September 30, 2007

\*Totals may not add up to 100 percent due to rounding.

and intern programs, established diversity councils, produced heritage programs, and helped develop action plans. Appendix III details the Library’s staff development initiatives.

The OWD also oversees the Diversity Advisory Council which consists of representatives of each of the Library’s recognized employee organizations<sup>6</sup>, labor organizations, and members of management. The OWD Director serves as chief advisor to the council. The council’s objectives are to heighten diversity awareness

<sup>4</sup> Includes permanent and permanent-conditional appointments and excludes non-permanent (temporary) promotions.

<sup>5</sup> Executive branch agencies data are from the U.S. Office of Personnel Management’s Fiscal Year 2007 Federal Equal Opportunity Recruitment Program report to Congress.

<sup>6</sup> Included among these groups are Blacks in Government, Library of Congress Chapter; Daniel A.P. Murray Association; LC Asian American Association; LC Gay, Lesbian or Bisexual Employees (GLOBE); and Hispanic Cultural Association.

among Library staff, advise the Library on issues critical to diversity management, and conduct periodic assessments of diversity topics.

The Library's Office of Human Resources Services (HRS) manages recruiting efforts and the merit selection process; directs efforts to promote hiring, development, and retention of employees; and ensures that Library policies, processes, and data collection and tracking support MYAEPP outcomes. Moreover, HRS collaborates with employee selection officials and the OWD to execute the Library's Diversity Recruitment Plan process.

Library policies for addressing discrimination and equal employment opportunity issues are provided in LCR 2010-3.1, *Resolution of Problems, Complaints, and Charges of Discrimination in Library Employment and Staff Relations Under the Equal Employment Opportunity Program*, and LCR 2010-2, *Policy of Non-Discrimination in Library Employment and Staff Relationships under the Equal Employment Opportunity Program*. These policies provide recourse procedures for employees and job applicants if the Library fails to take timely actions in response to discrimination complaints. Details on the EEO process are provided in Appendix I.

**The Diversity Advisory Council advises the Library on issues critical to diversity management and conducts periodic assessments of diversity topics.**

## ►► OBJECTIVES, SCOPE, AND METHODOLOGY

We performed this review to respond to a letter dated November 14, 2007 that we received from the Chairman of the Federal Workforce, Postal Service, and District of Columbia Subcommittee of the House of Representatives' Oversight and Government Reform Committee. The Chairman's letter requested legislative branch agencies' Inspectors General to review the agencies' diversity offices. The Chairman's request was prompted by Subcommittee concerns involving the representation of women and minorities in the legislative branch agencies' senior level positions. Our objectives were to

- determine whether the Library's diversity programs/initiatives are achieving better representation of women and minorities in top leadership positions (i.e., Senior Level Executive and GS-15 positions, or their equivalent);
- evaluate the accuracy and completeness of the complaint and discrimination data the Library has reported to Congress; and
- assess the extent to which the Library's diversity offices are independent of its General Counsel and the Librarian.

To determine whether the Library's diversity programs and initiatives are achieving desired results, we asked the acting OWD Chief, in consultation with the HRS Director, to complete the Equal Employment Opportunity Commission Management Directive 715 (MD-715) Self Assessment Checklist after we modified the checklist to eliminate questions applicable only to executive branch agencies. We also compared the Library's diversity programs and initiatives with leading diversity management practices identified in GAO's report, *Diversity Management: Expert-Identified Leading Practices and Agency Examples* (GAO-05-90) issued January 2005. We used MD-715 and the GAO report on leading practices as criteria for our assessment because they provide policy guidance and standards for establishing and maintaining effective diversity programs.

We interviewed Library officials to obtain insight on the Library's diversity management programs and initiatives, focusing on specific initiatives on women and minority representation in Senior Level Executive and GS-15 positions. We also examined the measures the Library uses to assess the success of its diversity management.

To assess the accuracy and completeness of the Library's complaint and discrimination data and the information systems that produce that data, we collected data using GAO's *Plan for Data Reliability Assessment*. Our assessment included reviewing supporting documentation for the data and interviewing the EEOCO Chief to ascertain how the data is collected, recorded, and reported. We also assessed the internal control system the Library uses to ensure the quality of this data.

To assess the extent to which the OWD and the EEOCO are independent of the Library's General Counsel and the Librarian, we interviewed the OWD Director, the EEOCO Chief, and the General Counsel to confirm their respective roles regarding equal employment opportunity and affirmative action. For criteria, we used the EEOC MD-110, Chapter 1, Section III., *EEO Director - Independent Authority and Relationships*.

Our audit scope was limited to the Library's diversity programs in effect as of January 1, 2008. The complaint and discrimination data we collected pertained to FY 2007. For our trend analysis, HRS provided us employment data on the number of permanent and permanent-conditional employees at the end of each year for FY 2002 to FY 2007. When comparing representation levels, we took into account the number of staff within particular minority groups (for example, Hispanic Americans in senior level positions). If a percentage can change materially with a shift of three or fewer staff, we did not report the change as material.

We performed our audit fieldwork from February to April 2008. We conducted our work in accordance with Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States (the "Yellow Book"), and followed all applicable unconditional and presumptively mandatory GAGAS requirements. We also followed guidance in Library of Congress Regulation 211-6, *Functions, Authority, and Responsibility of the Inspector General*.

## ► FINDINGS AND RECOMMENDATIONS

Diversity within the Library’s Senior Level Executive positions compares very favorably with the SES in executive branch agencies. Library officials have taken steps to improve on this diversity. While the Library’s diversity level in its senior level positions since 2002 remains constant, the Library has made strides in improving diversification in its GS-13 to GS-15 positions. This bodes well for the future especially because GS-15 positions are widely considered the developmental pool for senior level jobs. We provide statistics for the changes in diversification since 2002 in the section below titled *Diversity Remains a Challenge, Especially at the Senior Level*.

Our assessment of the Library’s diversity management found that the Library is following most of the best practices recommended by the

GAO and the EEOC. In the section below titled *The Library of Congress is Exemplifying Many of the Best Practices for Its Diversity Management*, we detail that of the nine best leading diversity management

2007 LOC Senior Level Executive Positions	African American	American Indian/ Native American	Asian/ Pacific Islander	Hispanic	White
LC Number	11	1	5	3	75
LC Percent	11.6%	1.0%	5.3%	3.2%	78.9%
Executive Branch SES <sup>7</sup>	8.5%	1.3%	2.3%	3.6%	83.9%

Figure 5: The Library’s Senior Level diversity compares favorably with the Executive Branch

practices identified by GAO, the Library has fully adopted six, completed written plans for two, and is developing a plan for the remaining one. This includes linking its diversity plan (i.e., its 2008-2013 MYAEPP) with its strategic plan and including diversity in the Library’s work force as a major element in managers’ performance requirements. We also found that the Library has not completed its succession planning efforts, which are a major element in diversity management.

At the time of our fieldwork, the Library drafted a 2008-2013 MYAEPP that is aligned with the Library’s Strategic Plan, includes performance measures, and assigns responsibility and accountability for diversity management. Moreover, to better implement this plan, the Acting OWD Director is seeking approval to reorganize and restructure the office to more effectively address strategic planning,

<sup>7</sup> Executive branch agency data are from the U.S. Office of Personnel Management’s Fiscal Year 2007 Federal Equal Opportunity Recruitment Program report to Congress.

performance management, internal controls, and analysis relating to diversity management. This includes conducting more barrier analyses. We discuss this topic in detail in the report section titled *The Library has not Conducted the Analysis Needed to Identify Systemic Barriers Impeding Full Minority Participation in Upper Level Management Positions*. Notwithstanding these initiatives, many staff members believe that the Library plans and organizes diversity programs effectively, but it does not ensure that the service units are committing to and implementing those diversification activities.

Results of tests we performed for this review showed that the Library’s EEO data is accurate and complete. However, we note a finding from our 2007 review of OWD that certain data from the Dispute Resolution Center were not reliable, however, these data related to performance and workload measures rather than diversity.

We concluded that the Library’s OWD is independent of the Library’s General Counsel, Human Resources Director, and, to the extent practical, the Librarian. Moreover, the EEOCO Chief has appropriate authority and

resources to independently and effectively carry out a successful EEO program. OWD’s success, however, depends on the service units’ success in providing equal employment and affirmative action opportunities.

LOC Senior Level Positions	2002		2007	
	No.	Percent	No.	Percent
Minorities	22	22.7%	20	21.1%
Women	40	41.2%	41	43.2%

Figure 6: SL gender and minority representation over the past 5 years

The following sections provide details of our assessments of the Library’s diversity program, the accuracy of the Library’s EEO data, and the independence of the OWD and EEOCO in performing their responsibilities.

**I. Progress Has Been Made in Improving the Developmental Pool**

Diversification in the Library’s Senior Level Executive corps compares favorably with government-wide statistics for career SES employees, especially for African Americans and Asian/Pacific Islanders which exceed the SES levels. Responsible Library officials have attempted to increase this diversification by targeting outreach and recruitment activities, attending conferences, conventions, and job fairs associated with diversity, and administering developmental intern and mentoring programs. Despite these efforts, data for 2002 and 2007

reveal no significant change in the representation of women and minorities within the Library’s senior level. The Library has made progress increasing diversification within its GS-13 to GS-15 positions (see figs. 7 and 8).

LOC GS-15 Developmental Pool	2002		2007	
	No.	Percent	No.	Percent
Minorities	42	13.5%	64	17.0%
Women	123	39.6%	153	40.6%

Figure 7: GS-15 Developmental Pool Shows Improvement

Employment trends for minorities vary over the 2002 to 2007 period. Within the GS-15 developmental pool, the employment trends significantly more upward for

African Americans and Hispanic Americans compared to the trend for Asian Americans and Pacific Islanders. In contrast, employment trends higher for Asian Americans and Pacific Islanders at the GS-13 and 14 levels compared to the trends of other minority groups at those grades.

LOC GS-13 and 14	2002		2007	
	No.	Percent	No.	Percent
Minorities	239	26.1%	316	28.6%
Women	464	50.8%	596	54.0%

Figure 8: GS-13 and -14 Levels Also Showing Upward Trend

The Library’s ability to improve its diversity has recently been limited by prevailing budget constraints. For example, in FY 2007, the Library had 264 separations but only hired 172 replacements. Within

Net Gain/Loss of Staff*	African American	Asian/Pacific Islander	Hispanic	White	Male	Female
LOC Workforce	-4.2%	0.0%	1.0%	-1.6%	-2.9%	-2.0%
LOC GS-13-15	-3.8%	2.5%	-7.5%	-3.0%	-2.3%	-3.2%

Figure 9: Library of Congress Net Separations by Race

\*Difference between New Hire Rate and Separation Rate

the senior level, the separations included seven white and two African American employees. The Library filled only two of the vacancies, with

one white and one African American employee. Separations have also had an impact on the representation of Hispanics in the Library’s management level positions. Four of the five Hispanics who left the Library in FY 2007 were at the GS-13 to 15 level but only one of the six newly hired Hispanics was hired in that grade range.



The Library needs to identify and address the underlying reasons for under-representation of specific groups in its workforce. For example, the 7.5 percent net decline in Hispanics in the GS-13 to 15 grade range stands out among the groups in all categories and should be prompting attention by the Library. We discuss in detail this type of barrier analysis latter in this report.

In addition to the present budget cutbacks, the Library's efforts to achieve more diversity in its management/supervisory positions are hindered by the available labor pool. A significant number of Library

	African American	American Indian/ Native American	Asian/ Pacific Islander	Hispanic
Nationwide Pool <sup>8</sup>	4.0%	0.1%	2.6%	3.1%
LOC Senior Level	11.6%	1.1%	5.3%	3.2%
LOC GS-15	9.8%	0.3%	4.0%	2.9%
LOC GS-13 and -14	15.8%	0.5%	9.7%	2.6%

Figure 10: Comparison of credentialed librarians nationwide to the library's supervisory/managers pool

hires are librarians. According to the American Library Association (ALA), the percentage of credentialed<sup>9</sup> minority librarians in the civilian labor force numbers is significantly lower than overall minority representation in the same labor force. The pool of credentialed African American and Asian/Pacific Islander librarians also significantly lags behind the Library's pool of supervisors/managers. Notwithstanding this fact, the Library employs a significantly higher percentage of minority librarians than are found in the civilian labor force.

ALA data also indicate that some minority groups are seeing a decrease in the number of credentialed librarians under age 45 despite recent diversity recruitment measures. These statistics indicate that the Library faces challenges improving upper management level diversification via recruitment. This spotlights the importance of in-house grooming of current staff through training and mentoring programs.

<sup>8</sup> Source: January 2007 report from the ALA Office for Research and Statistics and Office for Diversity. Most recent statistics are for 2005.

<sup>9</sup> The ALA defines "credentialed librarians" as librarians who report that they have completed a master's degree or another degree higher than a master's.

**Recommendation**

None.

**Management Response**

Management concurred with our finding.

**II. The Library of Congress is Exemplifying Many of the Best Diversity Management Practices**

The Library has established a good framework for its diversity management program and has adopted many of the model practices recommended by the GAO and the EEOC in its MD-715. Out of the nine best leading diversity management practices that have been identified by GAO, the Library has fully adopted six, completed written plans for two, and is developing a plan for the remaining one.

Identified Leading Diversity Management Practices	Not yet adopted					Level of Adoption	
	Do not anticipate adopting	No decision made, not in use	Will Adopt	Plan under development	Written plan complete	Partially Adopted	Fully Adopted
Top leadership commitment							
Diversity as part of an organization's strategic plan							X
Diversity linked to performance					X		
Measurement					X		
Accountability							X
Succession planning				X			
Recruitment							X
Employee involvement							X
Diversity training							X

Figure 11: The Nine Best Leading Diversity Practices Identified by GAO

As shown in Appendix II, the Library has linked its diversity plan (i.e., its 2008-2013 MYAEPP) with its Strategic Plan and diversity in the Library's workforce is a major element in managers' performance requirements. However, the Library has not fully developed its succession plan. This is a critical element in diversity management. We discuss this in detail later in this report.

In addition to following most of the GAO’s nine best practices, the Library has shown a strong commitment to and is following most of the recommended essential elements of EEOC Management Directive 715 (MD-715).<sup>10</sup>

Although MD-715 does not apply to the legislative branch, lacking other guidance, we believe it provides useful criteria to evaluate whether the legislative branch is establishing and maintaining effective EEO and diversity management programs.

MD-715 Essential Element	Our Assessment of the Library’s Fulfillment
Demonstrated Commitment from Agency Leadership	Strong commitment in written plans, but needs to ensure commitment of opportunities in terms of positions.
Integration of EEO into the Agency’s Strategic Mission	The reporting structure for the Library’s diversity management and EEO program provides the OWD Director with appropriate authority and resources to effectively carry out a successful program.
Management and Program Accountability	The Librarian is holding all managers, supervisors, and EEO officials responsible for the effective implementation of the Library’s MYAEPP. When findings of discrimination are made, the Library explores whether or not disciplinary actions should be taken.
Proactive Prevention	Needs improvement. The Library has not conducted the analysis needed to identify systemic barriers impeding full minority participation in upper level management positions. We discuss this in detail in section B below.
Efficiency	The OWD has sufficient staffing and funding to evaluate the impact and effectiveness of the Library’s EEO programs. The EEOCO processes the EEO complaints within the required time limits. When a settlement agreement is established, the Library timely completes its requirements under the agreement.
Responsiveness and Legal Compliance	The OGC monitors the findings of administrative judges and hearing officers to ensure compliance with any court orders. The Library holds personnel accountable for timely compliance with any court order.

Figure 12: Assessment of adoption of MD-715 Essential Elements

While the Library is following the EEOC model for the most part, it needs to improve its compliance with the directive in several areas.

<sup>10</sup> EEOC’s MD-715 provides policy guidance and standards for establishing and maintaining effective affirmative programs of equal employment opportunity and effective affirmative action programs for all government agencies except the legislative branch.

1. *The Library Must Ensure that Diversity Initiatives are not Viewed as an "Extra"*

Overall, the Librarian has demonstrated the agency's diversity commitment by 1) integrating diversity management into the Library's 2008 to 2013 Strategic Plan, 2) emphasizing the Library's diversity goals in the Library's 2008-2103 MYAEP, and 3) evaluating all managers and supervisors on their commitments to the Library's EEO policies and principles.

However, in several areas, the Library needs to improve implementing its diversity programs.

In our September 2007 report on the Library's OWD, we found that the number of participants in the Library's upward mobility intern and detail programs had declined. For example, the Library's Detail Program had 12 participants in 2000 but only 6 in 2005. The Library's Intern Program had 7 participants in 2000 and this increased to 12 in 2003. However, in 1994 the Intern Program had 31 participants. OWD officials attributed this to service units not funding sufficient positions for the programs.

**The Library has not closely examined personnel data to identify and eliminate subtle barriers to equal opportunity.**

Diversity training is part of the supervisory training mandatory for all supervisors. The EEOCO Chief informed us that he has sought to conduct more in-depth training to ensure that new staff, supervisors, and managers are informed about the Library's EEO policy. However, the Library's senior management decided that the diversity module in the overall supervisory training is adequate. Moreover, unlike the EEOC requirement in executive agencies, it is not a Library requirement for all of its managers and supervisors to take Alternative Dispute Resolution training.

GAO cautions agencies to ensure that diversity initiatives are not viewed as an "extra," because doing so could make them vulnerable to cuts, for example, when funds are tight.

2. *The Library has not Conducted the Analysis Needed to Identify Systemic Barriers Impeding Full Minority Participation in Upper Level Management Positions*

The Library has not reviewed participation levels by various groups in supervisory development, professional training, and career development to identify systemic barriers that impede full minority

participation. However, senior management is taking action to address this shortcoming.

The Acting OWD Chief has proposed adding an analysis and reporting component to the OWD to assess employment plans, performance measures, and workforce issues. Beginning in FYs 2008 and 2009, the Library will begin measuring key indicators by gender, race, national origin, age, and disability, among others. In the past, the Library has conducted trend analysis of its workforce to identify potential racial and gender imbalances. However, it has not closely examined its policies and procedures to identify and eliminate subtle barriers to equal opportunity. New key diversity indicators and the fiscal years in which the measurements will begin are the:

- Number and percent of employees with current Employee Performance Plans (FY 2009),
- Number and percent of employees and supervisors in a mentoring relationship (FY 2009),
- Number and percent of employees who received awards and bonuses (FY 2009),
- Amount of pay for senior level employees (FY 2009),
- Number and percent of employees participating in Library-wide committees (FY 2008),
- Number and percent of employees participating in Library-wide diversity training (FY 2008),
- Attrition rate (FY 2009),
- Number and percent of interns converted from internships and fellowships (FY 2009),
- Number and percent of applicants (FY 2009), and
- Number and percent of new hires (FY 2009)

These planned actions represent an improvement from past practices. However, more work needs to be done. The Library needs to ensure that the OWD has the authority to eliminate barriers that are identified and, in addition to the above statistics, the Library should track by race, national origin, and sex:

- Promotions to determine whether there is consistency among the equal employment opportunity groups.
- Performance evaluations to determine whether a particular group receives a disproportionate number of lower ratings.

Tracking promotion rates is specified in MD-715, Part A, *Proactive Prevention of Unlawful Discrimination*. Tracking performance

evaluations is a measure recently adopted by the GAO’s Office of Opportunity and Inclusiveness that we think is a useful measure. We think these measurements would be useful to OWD officials.

Leading experts also suggest organizations use, in addition to quantitative data, qualitative data derived from interviews, focus groups, and surveys for identifying employee perceptions—including available opportunities and work environment/culture—among various segments of their workforces. For example, organizations can ask employees a series of general organizational questions in such areas as climate, organizational commitment, promotions, job satisfaction, supervision, and performance evaluations. The Library has done this to a certain extent. It has included union representatives in the Diversity Counsel. It has also surveyed staff. However, the Library has not conducted exit interviews to determine why staff resign. Similarly, it has not analyzed promotions and performance evaluations by race or sex.

Promotion Rates	African American	Asian/Pacific Islander	Hispanic	White	Men	Women	Average
LOC Total Workforce	8.0%	5.9%	10.3%	9.5%	7.7%	9.5%	8.7%
LOC GS-13-15	7.0%	5.8%	15.0%	8.8%	8.0%	8.8%	8.4%

Figure 13: Promotion Rates Slightly Higher for Hispanics and Lower for Asian/Pacific Islanders

Numbers for American Indian/Alaska Native and Senior Level positions are too low to be meaningful as a percentage.

We examined several key statistical measures and found the Library has been fairly consistent in the distribution of promotions, training, and awards. However, Asian Americans/Pacific Islanders were promoted below the average rate for both the overall workforce and within grade levels GS-13 to GS-15. In contrast, Hispanic Americans were promoted at a higher rate than the Library’s overall average. For training, females averaged about 2 more hours per year than males.

FY 2007 LC Senior Level Positions	African American	American Indian/Native American	Asian/Pacific Islander	Hispanic	White	Men	Women	Average
Hours	12,850.5	84	3,022.5	1,232.8	21,168.5	15,070.0	23,288.3	
Hours per employee	9.5	4.9	11.9	12.7	10.3	8.9	11.1	10.1

Figure 14: Training opportunities generally appear to be consistent

Awards Rate	African American	Asian/Pacific Islander	Hispanic	White	Men	Women	Average
LOC Workforce	58.9%	55.7%	62.9%	72.3%	62.2%	69.6%	66.3%
LOC GS-13-15	74.6%	62.0%	65.0%	78.8%	72.4%	80.9%	76.7%

Figure 15: Awards rate slightly higher for whites than minorities

Numbers for American Indian/Alaska Native and Senior Level positions are too low to be meaningful as a percentage.

The Library's plans to review attrition rates beginning in FY 2009 should address both voluntary and involuntary separations by race and gender. For FY 2007, there were eight involuntary separations, of which two were White and six were African American. The Library stated that it carefully reviewed the six involuntary separations of minority employees and found all six fully justified. HRS provided specifics for each removal and all appeared justified. We believe that examining all types of separations is useful for assessing whether a diversity program is successfully creating a more equitable work environment for women and minorities.

### 3. Recruitment and Selection Decisions Need to be Monitored

In June 2005, the Library reviewed and revised its Merit Selection Program Plan. The plan spells out the responsibilities of all those involved in the competitive hiring process, including applicants; the recruitment and selection procedures, including job analyses and structured interviews; and the required documentation and record keeping. A panel consisting of the Selecting Official and at least two "Subject Matter Experts" (SME) conduct the job analysis and the structured interviews. The plan requires reasonable effort be made to ensure that the panels reflect the diversity of the Library's workforce by including men, women, minorities, and persons with disabilities who meet the criteria for a SME. We believe this plan strives for a fair and merit-based selection process. However, the OWD has not effectively tracked the application and selection process or effectively evaluated recruitment efforts.

OWD needs to adopt a more proactive role and be more creative in developing recruitment strategy. It needs to assess by race the number of applicants, the number of applicants that make the first cut, the number interviewed, and the number that make the referral list for final selection. These measures provide some indication to the

effectiveness of recruitment efforts (attracting candidates with the right knowledge, skills, and abilities) and may shed light to possible discriminatory selection decisions by a supervisor/manager.

In FY 2007, the former OWD Director looked at applications and found that no one noted on their application that they had heard about the job via the OWD's recruitment trips to Texas to attend job fairs. Consequently, OWD began to target its Hispanic recruitment more locally. The current Acting OWD Director plans to conduct increased analysis of this type after the proposed reorganization.

We believe that OWD can do a much better and a more creative job assisting Service Units with recruiting under-represented groups. Officials from the Library's Hispanic Cultural Association told us that while the Diversity Advisory Council effectively sought the Association's input, OWD had not sought the association's assistance or input regarding the recruitment of Hispanic staff.

### **Recommendations**

We recommend that the Library:

1. Assess its diversity program annually using the EEOC's MD-715. This includes developing a detailed plan to attain the essential elements in the model program that have not been achieved;
2. Give a copy of the current EEO Policy Statement to the HR Office to be included in all New Employee Orientation Packets;
3. Develop a tracking system that will notify OWD when an employee is promoted to a supervisor and then disseminate the EEO Policy Statement to the newly appointed supervisors on an ongoing basis;
4. Develop a detailed program for managers and supervisors on the MD-715;
5. Track by race, national origin, and sex promotions and performance evaluations to determine whether there is consistency among the equal employment opportunity groups;
6. Develop the means to conduct an in-depth analysis of the separations to identify trends that will assist management in determining reasons behind the separation rates of minorities and females;
7. Organize a facilitative workshop with program supervisors, HR, and OWD staff to discuss identified barriers;
8. Convene a Hispanic Employment Work Group to develop sound strategies to improve Hispanic representation. The Work Group should develop a Hispanic Employment Program Plan, which



focuses on recruitment, retention, and advancement; leadership development; student employment and educational programs; and achieving program results; and

9. Conduct exit interviews to determine why staff leave and identify employee perceptions about organizational commitment to diversity.

### Management Response

Library management officials agreed with our finding and recommendations. The Office of the General Counsel noted that "...assessing trend analysis in order to identify diversity imbalances is hampered by the fact that reporting one's ethnicity and/or race is purely voluntary and therefore, the agency is dependent on employee self-reporting which group(s) they belong to."

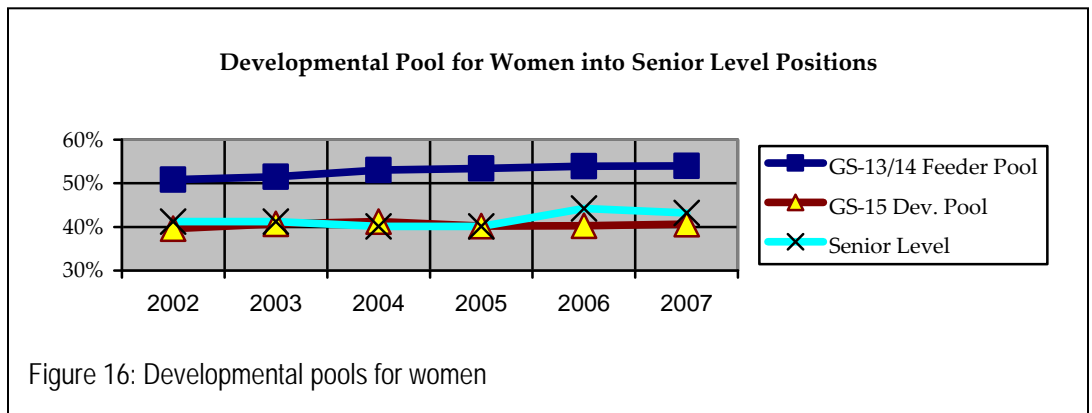
### III. Succession Planning

Succession planning provides the Library with a prime opportunity to change the diversity of the Senior Level corps through new appointments. By incorporating diversity program activities and objectives into its succession planning, the Library can help ensure that its Senior Level corps is staffed with the best and brightest talent available regardless of gender, race, or ethnicity.

The Library's succession planning was the subject of our March 2005 report titled

*Implementing an Effective Succession Planning Program Would Help the Library Achieve Its Strategic Goals* (Audit Report No. 2004-PA-105). In that report, we noted that HRS had

taken a leadership role in succession planning and had issued draft guidance to the service and infrastructure units titled *Workforce and Succession Planning Interim Guidance*. However, three years after we issued that report, the Library's succession plan has not been fully developed.



The first step toward achieving satisfactory diversification calls for the Library to develop suitable succession plans.

Doing so will ensure that employee candidates are targeted for Library positions who meet diversification and succession planning objectives. Without first identifying the critical positions and the needed skills and abilities the Library needs in its future workforce, it is difficult to specify effective diversification strategies and focus training, career development, and mentoring programs to help minorities and women advance.

To improve the future degree of diversification at the senior level through an effective succession strategy, the Library needs to have a more immediate pool of candidates at the GS-13, 14, and 15 levels which includes a significant number of minority candidates. Currently, the level of women and minorities in the GS-15 developmental pool is about the same or slightly less than the level of those groups in senior positions. The representation of women and minorities at the

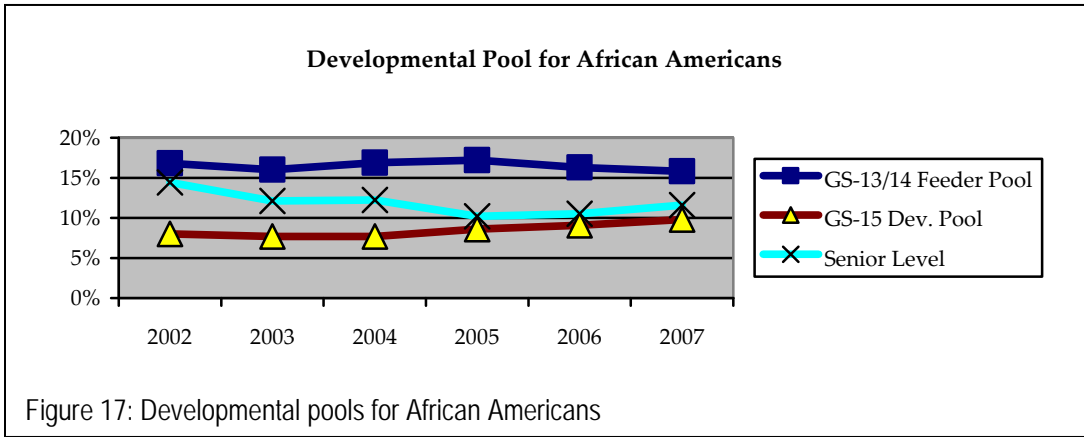


Figure 17: Developmental pools for African Americans

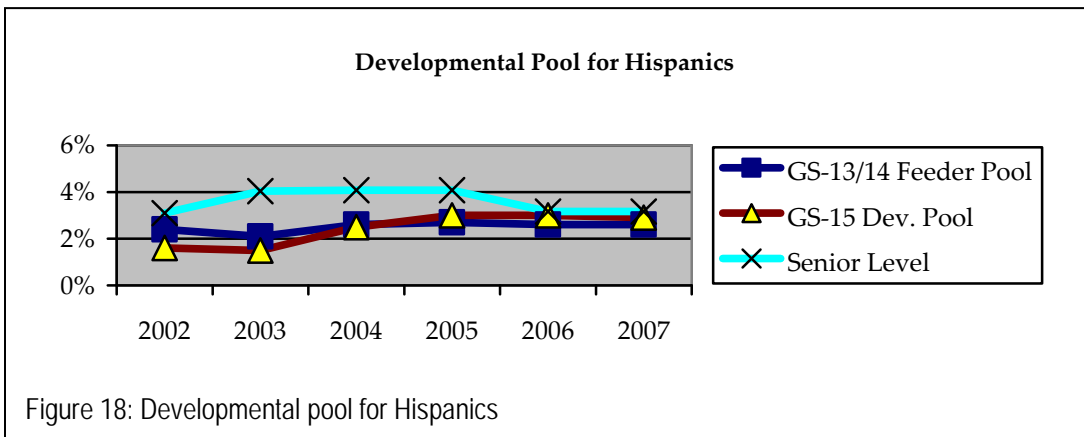


Figure 18: Developmental pool for Hispanics

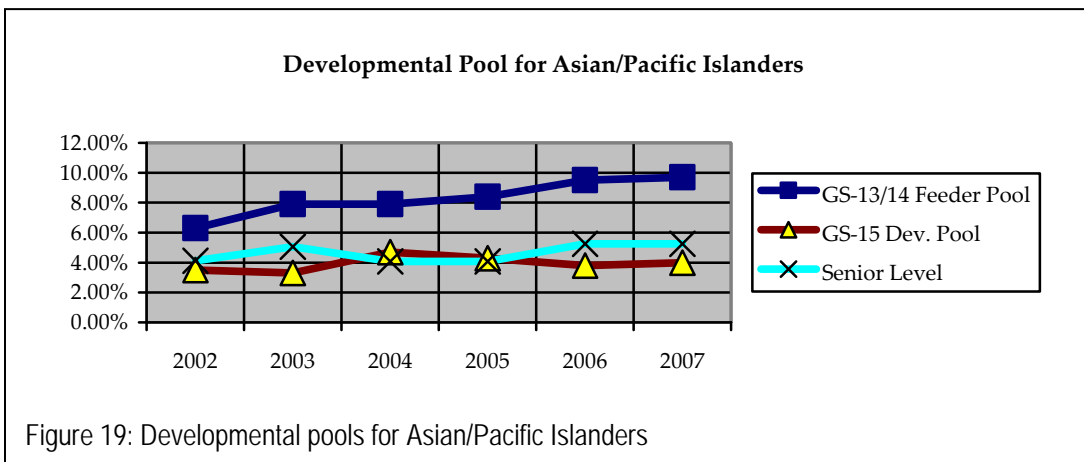


Figure 19: Developmental pools for Asian/Pacific Islanders

GS-13 and 14 levels is greater than it is at the senior level except in the Hispanic Americans category.

Integrating career development and workforce diversity into the Library's succession planning programs is vital. Development programs that identify and prepare individuals for increased leadership and managerial responsibilities will be critical to enable women and minorities to successfully compete for opportunities at higher levels.

### **Recommendation**

We recommend that the Library identify the critical senior level and supervisory/management positions and the needed skills and abilities required for the future workforce. Based on this forecast, the Library should specify effective diversification strategies and focus training, career development, and mentoring programs to help minorities and women advance to these positions.

### **Management Response**

Library management officials agreed with our finding and recommendation.

## **IV. Complaint and Discrimination Data are Accurate and Complete**

We found that the EEOCO has an effective complaint tracking and monitoring system in place. The EEOCO does not have an integrated complaint tracking and monitoring system; nonetheless, the number of cases is low enough to permit monitoring complaints using Microsoft Excel® spreadsheets and Microsoft Access®, a database management system. The EEOCO inputs into Access numerous data fields for pertinent case information.

As of March 2008, the EEOCO had 11 cases pending within the office plus 15 cases pending with the Personnel Appeals Board and 3 cases pending with the General Counsel (examiner hearing).

<b>Complaint Activity</b>	
Number of Complaints Filed	39
Number of Complainants	28
Repeat Filers	7
Figure 20: FY 2007 Complaint Activity	

Complaints by Basis <sup>11</sup>	
Race	22
Color	12
Religion	3
Reprisal	20
Sex	17
National Origin	16
Equal Pay Act	0
Age	18
Disability	13
Unknown	3
Figure 21: Complaint Activity by Basis	

The EEOCO generally uses the Office of Personnel Management's (OPM) *Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002* ("No FEAR Act")<sup>12</sup> reporting format. The "No FEAR Act" is intended to reduce the incidence of workplace discrimination within the Federal government by making executive branch agencies and departments more accountable. Many executive agencies place their "No FEAR Act" data on their Web sites. We believe the Library can improve its affirmative action and equal employment functions by making its statistical data available to all staff. Additionally, the EEOCO should benchmark its data against other federal agencies of similar size.

While the EEO data is accurate and complete, our September 2007 review found that the Dispute Resolution Center (DRC) 1) is not able to account for its current cases, 2) does not maintain adequate files, and 3) does not consistently track and evaluate the reliability of data on office consultations. Instead, each convener tracks consultations using disparate definitions of activities. Consequently, we believe data on Alternative Dispute Resolution cases is not reliable. The Acting OWD Director is taking steps to ensure complete, consistent, and accurate data reporting from the DRC. This finding, however, does not alter the fact that EEO data reported by the Library is accurate.

**Recommendation**

We recommend that the Library make its "No Fear" data available to staff via the Library's staff intranet Web site and benchmark this data against other federal agencies of similar size.

**Management Response**

Library management officials agreed with our finding and recommendation.

<sup>11</sup> Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

<sup>12</sup> Although the EEOCO voluntarily uses the reporting format, the No Fear Act is not applicable to the Library of Congress.

## V. The Diversity Office is Generally Independent of the Library's General Counsel and the Librarian

The reporting structure for the EEO program provides the EEOCO Chief with appropriate authority and resources to independently and effectively carry out a successful EEO program. OWD's organizational structure (developed as part of a Human Resources Services Office reorganization) is similar to the model EEOC recommends for executive agencies. EEOC's MD-110, Chapter 1, Section III., *Agency and EEOC Authority and Responsibility, EEO Director - Independent Authority and Relationships* requires 1) direct reporting to agency head, 2) separation of duties (i.e. manager of EEO complaint discrimination process must be different from manager with personnel functions), and 3) legal sufficiency review should be done by a unit separate from the legal unit that will represent the agency in court. Following the guidance in EEOC MD-110, we assessed independence in these three areas.

### 1. *The EEOCO Chief Reports Directly to the Librarian*

The OWD is organizationally part of the Office of the Librarian. Its Director reports directly to the Librarian via the Chief Operating Officer. This alignment is similar to that required by EEOC Management Directive 110: "Each federal agency shall appoint a Director of Equal Employment Opportunity (EEO Director), who shall be under the immediate supervision of the agency head."

### 2. *The EEOCO is Separate from the Office of the General Counsel and Human Resources Services*

The Library's OWD, which includes the Equal Employment Opportunity and Complaints Office, is a separate organization from the General Counsel and the Human Resources Services. The EEOC Management Directive 110 requires that "[t]he EEO Director cannot be placed under the supervision of the agency's Director of Personnel or other officials responsible for executing and advising on personnel actions." On July 7, 2003, the OWD separated from HRS and became a stand-alone organization under the Office of the Librarian.

3. *Separate and Independent Offices Perform the Legal Sufficiency Reviews and Represent the Library in Court*

According to EEOC MD-110, “[h]eads of agencies must not permit intrusion on the investigations and deliberations of EEO complaints by agency representatives and offices responsible for defending the agency against EEO complaints.

Maintaining distance between the fact-finding and defensive functions of the agency enhances the credibility of the EEO office and the integrity of the EEO complaints process.” MD-110 requires that “[l]egal sufficiency reviews of EEO matters must be handled by a functional unit that is separate and apart from the unit which handles agency representation in EEO complaints. The Commission requires this separation because impartiality and the appearance of

impartiality is important to the credibility of the equal employment program.

We found that the Library has met the EEOC’s criteria. A Library EEOCO official reviews all EEO “Investigation Reports” to

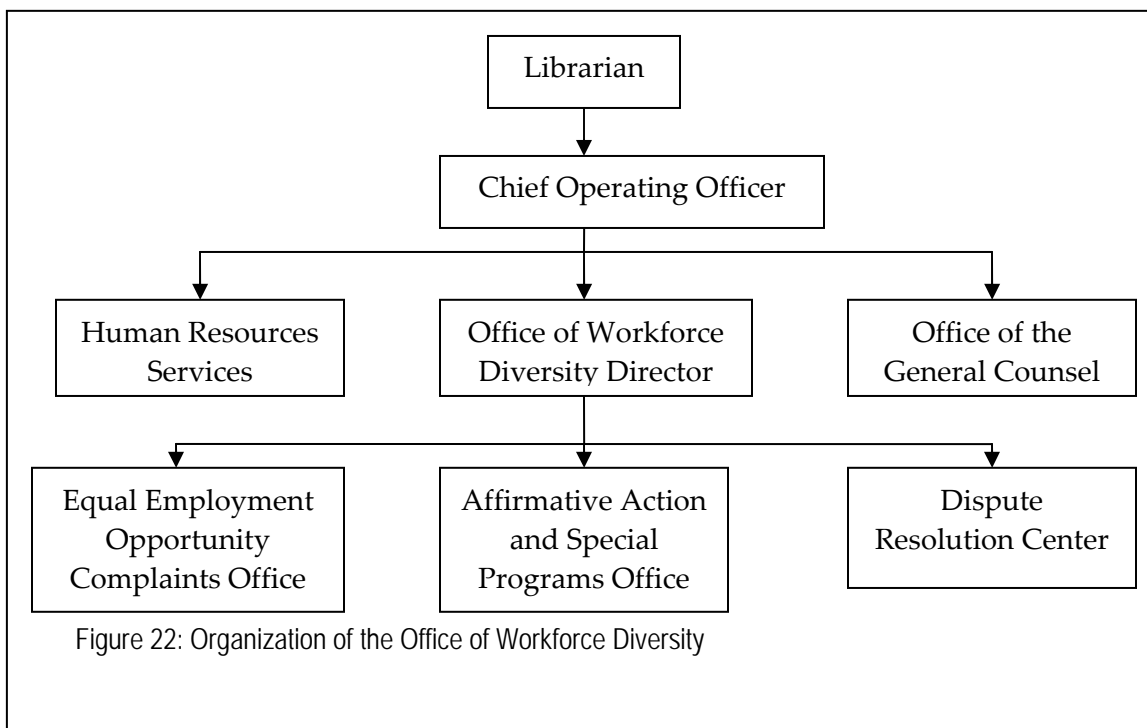


Figure 22: Organization of the Office of Workforce Diversity

ensure that they meet legal requirements. The Office of the General Counsel’s only role in EEO cases is to represent the Library in court matters and administrative hearings. We believe the Library has established effective separation of the legal sufficiency review (conducted by the EEOCO) from the agency representation in court and administrative hearings (conducted by the OGC) as recommended by the EEOC. This separation ensures that impartiality or at least the appearance of impartiality is maintained in EEO cases.

**Recommendation**

None.

**Management Response**

Library management officials agreed with our finding.

## » CONCLUSION

Overall, we determined that the Library is committed to diversity. Union officials we spoke with believed that the Library's diversity and equal employment policies and procedures, as well as its Merit Selection Plan promote diversity in the workplace. Likewise, the Library has effective diversity programs, if fully implemented.

The most successful organizations of the future are ones that are currently identifying and developing high potential executives, of any age, culture, ethnicity, gender, geographic background, or sexual orientation. The Library needs to ensure that through its succession planning strategies and training, employees in the GS-13 to GS-15 range will broaden their leadership skills and step into senior management roles when the appropriate time comes. It is important to realize that diversity training is not intended to increase minority representation in management positions; the affirmative action efforts are suppose to do that. Diversity training is for the purpose of enhancing productivity and helping people of different backgrounds work together.

The Library and its OWD face challenges in ensuring a diverse workforce. In addition to the challenges of recruiting and retaining minority candidates, the OWD faces the challenge of gaining the "buy-in" of key employees, such as the middle managers who are often responsible for implementing many of the affirmative action programs. Without a sustained commitment from management at all levels, diversity at the management level may continue to remain generally unchanged over time.

In addition to assessing diversity among the overall workforce and the GS-13, -14, -15, and Senior Level positions (as we did in this review), it is equally important for the OWD to examine whether there are diversity differences among the Library's service units. A high concentration of a minority group in one service unit may distort the Library's overall statistics regarding hiring, promotions, awards, and performance evaluations.

The Library has an effective and accurate complaint tracking and monitoring system in place. As we reported in September 2007, the OWD is working to assure accuracy and completeness of its Alternative Dispute Resolution data.



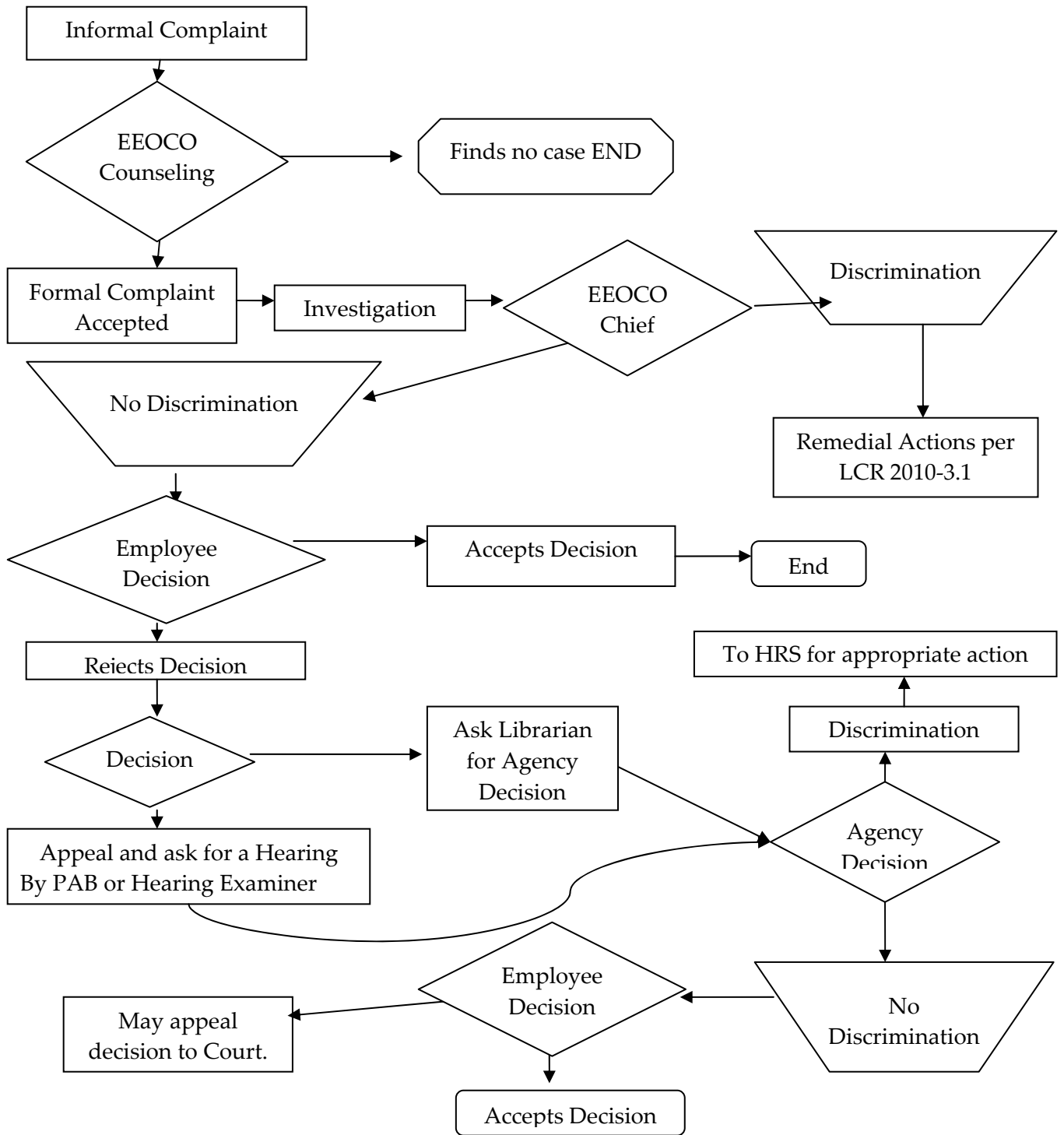
Numbers alone do not reflect efforts to encourage interchanges among staff of various races and ethnic backgrounds. For example, the Library of Congress Professional Association sponsors foreign language tables for staff who speak various languages or wish to learn to speak. The Library sponsors multiple “heritage month” programs intended to highlight diversity issues. Similarly, the Library has many cultural associations (such as Blacks in Government, Library of Congress Chapter; Daniel A.P. Murray Association; LC Asian American Association; LC Gay, Lesbian or Bisexual Employees (GLOBE); and Hispanic Cultural Association) that promote awareness and understanding of differences.

Regarding the independence of the OWD and its EEOCO, we believe the Library has set up an effective organizational hierarchy. The OWD Director has been involved with and consulted on the Library’s strategic planning. The Library has also separated its EEO and Affirmative Action efforts, which is a best practice. We believe the proposed OWD reorganization will result in the office being more properly focused on identifying potential systemic barriers, if any, impeding full minority participation in upper level management/supervisory positions.

### **Major Contributors to This Report:**

Nicholas Christopher, Assistant Inspector General for Audits  
Patrick J. Cunningham, Senior Auditor

## ▶▶ APPENDIX I: THE EEO APPEALS PROCESS



## ▶▶ APPENDIX II: CROSSWALK FROM THE MULTI-YEAR AFFIRMATIVE EMPLOYMENT PROGRAM PLAN TO THE LC STRATEGIC PLAN

<p>LOC Strategic Plan Workforce Goal Strategies</p>	<p>Foster a learning environment that encourages employees to contribute to the success of the organization.</p>	<p>Improve human resources systems to support organizational missions as they respond to changing work environments and customer needs.</p>	<p>Ensure continuity of needed skills and expertise.</p>	<p>Collaborate with forward-thinking human resources networks to incorporate best practices.</p>	<p>Increase availability and breadth of learning-and-development programs that enable the workforce to excel.</p>
<p>MYAEPSP Strategies</p>	<p>Provide continuing leadership training and expertise to enhance diversity.</p>	<p>Improve communication and awareness about workforce policies and procedures.</p>	<p>Provide continuing leadership training and expertise to enhance diversity.</p>	<p>Include individuals of diverse backgrounds in policy-making and on task groups.</p>	<p>Provide continuing leadership training and expertise to enhance diversity.</p>
	<p>Implement education and training programs that foster understanding and respect for unique values and contributions.</p>	<p>Evaluate current flexibilities and recommend improvements to compete with other employers.</p>	<p>Implement education and training programs that foster understanding and respect for unique values and contributions.</p>	<p>Identify, share, and implement internal/external best workforce practices.</p>	<p>Implement education and training programs that foster understanding and respect for unique values and contributions.</p>
		<p>Establish and implement criteria for evaluating a manager's success in achieving diversity in the workplace.</p>		<p>Improve consistency in application of processes to celebrate success and ensure accountability</p>	
		<p>Improve the system of periodic evaluations and reporting of key indicators.</p>		<p>Address attrition rate of new employees with a tenure of less than 3 years.</p>	

## ▶▶ APPENDIX III: STAFF DEVELOPMENT INITIATIVES

1. **Leadership Development Program:** The Leadership Development Program is designed to develop individuals from a diverse population who would be prepared to assume leadership positions at the Library of Congress or other cultural institutions. In addition, the program seeks to expose participants to cutting-edge technology and information systems, and prepare them for the next generation of librarianship in an expanding electronic environment. Fellows participate in a twelve-month program that combines Library orientations; practical work experiences; a professional mentoring arrangement; needs assessments; professional development plans; training sessions focusing on issues relating to leadership, librarianship, and technology; and group and individual projects and reports and other developmental opportunities. The program is open to all Library of Congress staff who occupy GS-11, GS-12, or GS-13 grade level positions with permanent or indefinite status (except indefinites with not to exceed dates), or equivalent wage board status who have completed at least one year of continuous Library service. In addition, a limited number of staff from other library and cultural institutions throughout the Washington metropolitan area may be invited to participate.

2. **Kluge Staff Fellowship:** The Kluge Staff Fellowship annually provides one employee the chance to conduct independent research using the Library's resources and collections. The fellowship serves to showcase the Library's intellectual riches to the scholarly public worldwide. It offers the opportunity for a highly qualified staff member to participate in a six-to-twelve month period of research and residency in the John W. Kluge Center with a distinguished group of the world's foremost senior scholars and the most promising national and international post-doctoral fellows. The fellowship is open to any Library of Congress employee who has permanent or indefinite status (except indefinite appointees with not-to-exceed dates), and who has demonstrated commitment to the institution through five years of continuous Library service.

The ideal nominee also holds the highest degree in his or her professional field, contributes to research and scholarly publications in his or her area of expertise, and has participated substantively in the Library's intellectual life over a period of years.

3. **Mentoring Program:** The Mentoring Program provides a strategic way to preserve institutional knowledge, productivity, and to keep training at a cost-effective level. Mentoring has three goals and objectives: to preserve and share the skills and institutional knowledge of Library staff for the enhancement of the agency and its mission to serve Congress and the public; to establish mentoring as a recognized and valued process for career development support and an efficient means of learning, navigating, and improving the culture of the organization; and to offer a program that provides an avenue for empowerment and self-determination of employees to progress towards or attain their career goals. All Library of Congress full-time employees are eligible.

4. **Affirmative Action Tuition Support Program:** The Affirmative Action Tuition Support Program provides an opportunity for Library of Congress staff members to gain additional education and training that will help them compete for positions in targeted job series. It includes focused internal recruitment, professional development plans, counseling, mentors, and tutors. Full-time permanent, part-time, indefinite staff (including Indefinite Not-To-Exceed (NTE) staff appointed to a

second or subsequent NTE appointment without a break in service), or equivalent wage board status who have completed 2080 hours of Library service (one year full-time) as of the closing date for receipt of applications are eligible for consideration. Tuition Support competition is limited to staff in grades GS-9 or below who are not in promotion plans that exceed GS-9 and do not possess a post baccalaureate degree. Staff must be willing and able to participate in training during off-duty hours.

5. **Affirmative Action Detail Program:** The Affirmative Action Detail Program is designed to encourage the interest of talented staff, especially women, minorities, and persons with disabilities, in administrative or managerial work. Selectees, who are detailed for periods ranging from six months to one year, exercise, develop, and evaluate their interest and potential for administrative or managerial careers. The program is open to Library employees who meet the following requirements: 1) be a permanent or indefinite status employee (except indefinites with not-to-exceed dates); 2) have one year of continuous Library service; 3) be in grades GS-5 through 12; and 4) be in a non-supervisory position. These requirements apply to part-time and full-time applicants.

6. **Affirmative Action Internship Program:** The Affirmative Action Intern Program seeks to assist Library staff in clerical or technical positions to advance into administrative or professional positions, leading to the GS-11 or GS-12 level. The two-year program includes intensive on-the-job training, formal course work, professional development plans, mentors, and sponsored seminars and training courses. Consideration under this program is open to all Library of Congress staff who occupy clerical or technical positions at grades GS-5, GS-6, GS-7, GS-8 and GS-9, with permanent or indefinite status (except indefinites with NTE dates), equivalent wage board status, who have no promotion potential beyond the GS-9 level, and have completed one year of continuous Library service.

7. **Hispanic Association of Colleges and Universities (HACU) Internship:** Under this program, Hispanic (and others) undergraduate and graduate students participate in internships (Spring-15 weeks, Summer-10 weeks, and Fall-15 weeks) in various sections throughout the Library including (but not limited to) Human Resources, the Office of Workforce Diversity, and the Copyright Office.

8. **Presidential Management Fellows (PMF) Program:** Under this Program, the nation's top graduate students pursuing Federal service careers are assigned two year internships at various agencies including the Library of Congress. PMFs are given an initial appointment (Indefinite, Not To Exceed) at the GS-9 step 1 grade level that could lead to GS-12 at the completion of the two year internship and are Library employees paid by the Library. At the end of the two year internship (with no break in service), PMFs may be non-competitively converted to career or career-conditional appointment, extended for up to one year, or terminated.

## ▶▶ APPENDIX IV: MANAGEMENT RESPONSE

### Comments from the Director for Human Resources:

United States Government


*Human Resources Services*  
*Director for Human Resources*

### **Memorandum**

Library of Congress

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TO : Karl W. Schornagel  
Inspector General

FROM : Dennis Hanratty   
Director for Human Resources

SUBJECT : *Survey of the Library's Diversity Management Program*  
Draft Survey Report No. 2008-SP-104

Date: June 12, 2008

Thank you for the opportunity to comment on Draft Survey Report No. 2008-SP-104, *Survey of the Library's Diversity Management Program*. We are pleased that the report has determined that the Library is committed to diversity and notes the various activities and programs that the Library has adopted to enhance diversity. Human Resources Services endorses all findings and recommendations contained in the report.

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**Comments from the Chief Operating Officer and the Acting OWD Director:**

Patrick J Cunningham - Re: Reminder that comments on OIG Diversity Review are due.

Page 1

**From:** Jessie James  
**To:** Patrick J Cunningham  
**Date:** 6/10/2008 4:08:23 PM  
**Subject:** Re: Reminder that comments on OIG Diversity Review are due.

Patrick:

Consistent with our telephone conversation this morning, this is to confirm my statement to you that we (e.g., the Office of the Librarian) do not have any additional comments on the OIG Diversity Review Report. The comments that Lucy, Dennis and I provided to you during our exit conference some time ago, which you considered in preparation of the final report, were our only comments. Additionally, I apologize for my confusion in the two OIG Diversity Review Reports. Accordingly, my request yesterday for additional time within which to provide a response the OIG Diversity Review Report, is hereby withdrawn. Thanks for your assistance and for the opportunity to comment on the final report to Congress. It has been a pleasure to work with you and the OIG.

Jessie

## Comments from the Office of the General Counsel:

Karl,

Just a few comments and recommendations we had regarding the draft of the above survey that we wanted to convey to you:

1. on page ii, the words "addition" and "initiatives" in the third full paragraph are misspelled;
2. On page 13, we recommend that that the word "attention" at the bottom of the page be substituted for the word "investigation";
3. Regarding page 18 and the measuring of key indicators such as race, gender, age, etc., we would note that the challenge to assessing trend analysis in order to identify diversity imbalances is hampered by the fact that reporting one's ethnicity and/or race is purely voluntary and therefore, the agency is dependent on employees self-reporting which group(s) they belong to;
4. on page 25, it is not clear what the term "integrated complaint tracking and monitoring system" means;
5. on page 26, it should be noted that the No Fear Act is not applicable to the Library of Congress;
6. on page 28, not sure that the term, "standalone" is a word;
7. on page 29, first paragraph, the term "The Commission requires..." should be changed to "The EEOC guidelines require...";
8. on page 29, first full paragraph, beginning with the third sentence, we recommend the rest of the paragraph be changed to: "The Office of the General Counsel's only role in EEO cases is to represent the Library in court matters and administrative hearings. We believe the Library has established effective separation of the legal sufficiency review (conducted by the EEOCO) from the agency representation in court and administrative hearings (conducted by the OGC) as recommended by the EEOC. This separation ensures impartiality or appearance of impartiality is maintained in EEO cases."

Thank you for allowing us to participate in the review of the draft Survey. Please let us know if you have any questions re the above or if we can be of any further assistance.

Evelio R.