

Discrepancies in the Federal Workplace According to EEOC

The U.S. Equal Employment Opportunity Commission (EEOC) has released its Annual Report on the Federal Work Force for Fiscal Year (FY) 2008. The Annual Report reveals that power and pay discrepancies still exist between men and women, whites and minorities, and non-disabled and disabled.

Not surprisingly, the discrepancies begin at the top. With a total of 20,407 employees, the Senior Pay Level (SPL) positions include the Senior Executive Service, Executive Schedule, Senior Foreign Service, and other employees earning salaries above grade 15 of the General Schedule. Of these SPL employees, 72.3 percent are men and 85.6 percent are white.

This means that only 27.7 percent of the SPL positions are held by women and only 14.4 percent were held by non-whites of all races of both genders. Additionally, between FY 1999 and FY 2008, Hispanics increased representation among the SPL by only 0.6 percent, while African-American representation decreased by 0.25 percent. Additionally, only 104 of the 20,407 SPL employees, or 0.5 percent, are disabled.

In FY 2008, the "feeder grades" to SPL positions (GS grades 14 and 15) showed slightly less discrepancy between men (64.8%) and women (35.2%), but the statistics concerning race mirror the statistics for the SPL positions. White employees fill 76.7% of all GS-14 and GS-15 positions, leaving only 4.4 percent of these top positions to Hispanic or Latino employees; 10.8 percent to African American employees; and 6.9 percent to Asian employees. Individuals with Targeted Disabilities again filled only 0.5 percent of these top positions.

Nevertheless, the federal government still does a better job diversifying than the private sector. For example, in 2009, only twelve Fortune 500 companies and 25 Fortune 1000 companies have women CEOs or presidents. Even worse is that only eight African-American executives have ever made it to the Chairman or CEO position of a Fortune 500 company. Of these eight executives, only five remained as of 2009.

Not surprisingly, the lack of equity within the agencies' organizational structures is reflected in the statistics concerning pay. In FY 2008, the average general schedule (GS) grade level for the total work force was GS-9.9. The average pay grade level for all minority groups was below the national average, however, the difference was slight. For example, the average grade for Hispanic or Latino employees was GS-9.4 and for African American employees it was GS-9. The pay gap was greater between men, who have an average grade of GS-10.5, and women, who have an average grade of 9.3, which is more than half a grade below the government-wide average of 9.9 and more than one grade below men (10.5).

Approximately 41.3 percent of women employed in the federal work force were in grades 7-11. Faring the worst, once again, were Individuals with Targeted Disabilities, who had an average grade level of GS-8.5, almost one and a half grades below the government-wide average.

Federal employees are protected against wage discrimination by three major laws. The Equal Pay Act of 1963 prohibits unequal pay for equal or "substantially equal" work performed by men and women. Title VII of the Civil Rights Act of 1964 prohibits wage discrimination on the basis of race, color, sex, religion or national origin. The Supreme Court made it clear that Title VII is broader than the Equal Pay Act, and prohibits wage discrimination even when the jobs are not identical. Finally, the Rehabilitation Act of 1973 protects Individuals with Targeted Disabilities from discrimination, including based on wages.