

**Statement of Dennis Hanratty**  
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**Before**  
**The Committee on Oversight and Government Reform**  
**Subcommittee on Federal Workforce, Postal Service, and the District of Columbia**  
**United States House of Representatives**  
**on**  
**Diversity at the Senior Level: Legislative Branch Agencies**  
**November 13, 2007**

Chairman Davis and Members of the Subcommittee:

My name is Dennis Hanratty. I am the Director of Human Resources Services (HRS) at the Library of Congress, a position I have held since August 2005. Thank you for the opportunity to discuss diversity throughout the Library of Congress, and specifically within the Library's senior management.

The Library's diversity, particularly within the senior management, has increased dramatically since 1990 when the Library's Senior Level Executive System (SLES) was created. Then, only 12.4 percent of our Senior Level work force was minority, compared with 20 percent today. The Library's current Executive Committee is comprised of 29 percent minorities and 57 percent women. The Library has made a concerted effort, under the leadership of the 13<sup>th</sup> Librarian of Congress, Dr. James H. Billington, to build and nurture diversity throughout its workforce, even as the size of the Library today reflects nearly 1200 fewer staff than when Dr. Billington was sworn in as Librarian of Congress 20 years ago. During this period, the Library's aggregate minority profile grew to exceed that of the federal civilian workforce, and the Library continues to recruit, retain and develop management-caliber staff from among different racial, ethnic, gender and disabilities demographics.

The Library's **Senior Level Executive System (SLES)**, the particular focus of this hearing, was created pursuant to the Federal Employees Comparability Act of 1990, which abolished "super-grade" positions and replaced them with new categories of senior executive positions. The Library's SLES is comparable to the Senior Executive System, with the vast majority of our participants serving in executive, managerial/supervisory capacities. The Library is an information and policy conglomerate whose principal mission is to serve Congress. Each of the Library's component entities -- the National Library, Congressional Research Service, Copyright Office, Law Library, and National Library Service for the Blind and Physically Handicapped -- requires staff and managers with highly specific expertise at virtually all levels. The Library also enjoys a highly specialized employee base whose average tenure at the Library is in excess of 25 years. This long tenure has an impact on the number of new hires the Library can make and presents a unique challenge in the Library's commitment to diversity at all levels.

As of June 30, 2007, the latest date for which government-wide statistics are available, minorities comprise 20 percent of the Library's senior leadership, which consists of those in the Executive Schedule, Senior Level, and Scientific and Professional pay plans. In comparison, 15 percent of SES executives government-wide are minorities. Also for the same period, 44 percent of the Library's senior leadership positions are held by women, compared with 29 percent of SES executives government-wide. The Library also exceeds government-wide levels of racial and gender diversity for the key GS-13 to GS-15 pay cluster, the Library's future senior leaders.

Diversity at the Library's Senior Level has remained fairly constant in recent years. We have hired 42 permanent employees at the Senior Level since fiscal year 2002. Of these, 8 were minorities (19 percent) and 19 were women (45 percent).

By most measures, diversity has improved among the ranks of the higher GS grade levels, those who, along with those recruited from outside the agency, will be the "next generation" of Library senior managers. At the GS-15 level, minority representation has increased from 13 percent in 2002 to 17.1 percent in 2007. While the percentage in this group of Hispanics has remained below that in the general population, the number at the GS-15 level in the Library has more than doubled over that same period. The percent of women has remained stable.

We have also provided the Subcommittee with diversity data that separates out Senior Level positions within the Congressional Research Service (CRS). In fiscal year 2007, 18 percent of CRS' Senior Level staff are minorities, compared to 15 percent in fiscal year 2002. The proportion of women among CRS' senior ranks has remained the same over the five year period, 36 percent. These levels have been achieved even as the total number of Senior Level CRS staff has decreased by 20 percent, from 55 to 44.

But diversity at the Library of Congress is much broader than simply the demographics of our staff – it is ingrained in our culture as an institution. The Library of Congress, the nation's oldest federal cultural institution, is a worldwide symbol of democracy, the world's preeminent reservoir of knowledge, providing unparalleled integrated resources to Congress and the American people. Founded in 1800, the Library seeks to further human understanding and wisdom by providing access to knowledge through its magnificent collections, which bring to bear the world's knowledge in almost all of the world's languages and America's private sector intellectual and cultural creativity in almost all formats. With our mission to acquire and preserve this exponentially growing body of knowledge comes the responsibility to make it relevant and accessible to our widely diverse population.

We are particularly proud of the breadth of our collections and programs, which reflect holdings in over 450 languages from throughout the world. As the mint record of American creativity by virtue of the Copyright Office, the Library's collections are particularly strong in the evolution of American history and culture, from the indigenous peoples of the pre-Columbian exploration era, Native Americans, colonization, slavery

and the African-American quest for full citizenship, to the role of folk cultures and tradition in the formation and continuity of America's rich national identity.

### **Diversity Across the Library of Congress**

As stated in our newly released FY2008-2013 Strategic Plan, "a talented and diverse staff is at the heart of the Library of Congress and its vision for the future." The breadth of our collections and scope of our public programs are in part why our workforce is so diverse.

#### *Policies*

We are currently re-writing and updating our **Multi-Year Affirmative Employment Program Plan (MYAEPP)**, connecting it with specific elements of the 2008-2013 Strategic Plan. A working group of representatives from across the Library will complete its review later this year, and present to the Library's Executive Committee for its approval a new MYAAEP, incorporating the accountability, performance indicators, strategies, and outcomes designed to achieve what we have set out in our Strategic Plan.

As we are working toward documenting how we will attract and retain a diverse workforce, the **Diversity Advisory Council** serves as a conduit through which ideas and opinions on policymaking and employment issues flow between management and staff. This Council, administered by the Office of Workforce Diversity (OWD), consists of representatives of our unions, recognized employee organizations, and management. The Council has developed a working definition of common diversity concepts as they apply to the Library and laid the framework for a **Diversity Action Plan** with a goal of establishing the Library as an employer of choice in the federal community.

The Library supports managers in fulfilling their responsibility to promote diversity in the workplace. All supervisors, up to and including GS-15 levels, must complete the Supervisory Development Program that was established in 2007. The first mandatory *Essential Supervisory Skills* course addresses optimizing diversity among other baseline topics. An additional mandatory course, *Hiring and Optimizing a Diverse Workforce*, further clarifies the Library's focus on diversity and each supervisor's role. This will be implemented in January, 2008.

#### *Recruitment and Selection*

The Library's efforts to achieve a diverse workforce are evident throughout the entire process of recruiting, screening, and selecting new employees for vacancies.

The OWD develops targeted recruitment plans in collaboration with HRS and the Service Unit representatives based on an analysis of the Library's workforce profile. The information is used to identify specific areas to focus our targeted recruitment efforts. These efforts include recruiting through organizations such as the Congressional Black Caucus Annual Legislative Weekend Conference, the Hispanic Association of Colleges and Universities (HACU), academic institutions such as Gallaudet University, and job/career fairs, such as the annual Eleanor Holmes Norton Job Fair, that target diverse job seekers.

The Library's hiring system, governed by the Merit Selection Plan, was developed specifically in 2001 as a key element of the settlement of the Cook class-action case that dated from 1975. The plan itself, comprehensively covering development of job descriptions through the final selection process, keeps the goal of a diverse workforce at the forefront throughout the process and includes two discrete areas where the diversity of the applicant pool is examined:

- Each Service Unit develops a fiscal year staffing plan, outlining projected hiring for the fiscal year. The OWD, together with HRS and the Service Unit, examine under-utilization data, areas where protected categories of individuals are underutilized in the Library's existing workforce when the Library's workforce is compared to the civilian labor force. The analysis provides the information necessary to develop overall staffing strategies and targeted recruitment plans for the coming year.
- At the individual vacancy level, the Library conducts a **Stage 1 Diversity Analysis** to create the individual vacancy's recruitment plan. The individual recruitment plans are developed based on previously successful recruitment sources, data identifying groups under-utilized in the Library's population when compared to the civilian labor force and professional organizations relevant to the position.
- At the stage where applicants are reviewed for initial consideration, HRS conducts a **Stage 2 Diversity Analysis** to determine the diversity of the applicant pool. HRS compares the pool of applicants to be considered for an interview with the under-utilization data identified in the recruitment plan. When the applicant pool contains members of under-represented groups, they will be added up to the 12<sup>th</sup> ranked candidate. The Selection Official also has the option of requesting a larger interview pool.
- The Library also periodically monitors the hiring outcomes from its filled vacancies to assess the Library's workforce diversity compared to the federal civilian workforce and the Library's previous diversity profiles.

We also fill some permanent positions through targeted recruitment outside of our Merit Selection Plan. For example, the Library's regulations allow hiring outside of the normal competitive selection process under the following programs:

- *Presidential Management Fellowship (PMF) Program*: The PMF program, established by Executive Order, draws graduate students from diverse social and cultural backgrounds to apply for public service jobs in the Federal Government.
- *Selective Placement Program*: The Library uses this program to hire candidates with documented, severe disabilities.
- *HACU Cooperative Education Program*: Qualified students who successfully complete a minimum of 640 hours of career-related work at the Library may be converted noncompetitively to permanent-conditional positions for which they qualify within 120 days of completing their academic degree requirements.
- *Work Study Program*: Local high school students (usually seniors) work at the Library on a paid and volunteer basis. Interested students recommended by a school official work during the school year on a part-time basis on a temporary NTE one-year appointment. Upon successful completion of the program the students may be promoted or noncompetitively converted to a career appointment.

CRS also conducts additional targeted recruitment to increase the diversity of its hiring pools and workforce. Examples include:

- *Student Diversity Internship Program* - CRS partners with Historically Black Colleges and Universities (HBCUs), HACU and other minority serving organizations to attract minority students to positions in CRS. Since the program began in 2003, CRS has hired 54 interns; 54 percent female and 91 percent minority.
- *The Law Recruit Program* – CRS targets third year law students, with a focus on attracting minorities, for permanent legislative-attorney positions. Over the past five years (since fiscal year 2002), 16 legislative attorneys have been hired under this program; 50 percent female and 19 percent minority.
- *Senior Level Outreach* – CRS' Deputy Director and another senior level official regularly identify and visit schools such as the HBCUs with a large minority student population and meet with school officials to promote CRS as a place to work.
- *Hispanic Recruitment* – CRS uses various programs, primarily the HACU Cooperative Education Program. Since fiscal year 2004 when CRS began to participate in this program, four interns have been hired and converted to permanent positions.

### *Workforce Development*

Largely through the generosity of private donors, the Library has over the last decade conducted a **Leadership Development Program**. Library staff in grades GS-11 through GS-13 from diverse backgrounds are selected to participate in a year-long

training and development program designed to prepare them to compete for leadership and management positions in the Library.

Program participants are provided with leadership and technical training, along with invaluable external and internal short-term work experiences to help prepare them for the responsibilities likely to be faced by leaders of libraries and cultural institutions in the future.

Since the program's inception in 1995, six Leadership Development classes have graduated 57 staff. Of those, 64.9 percent have been minorities and 70 percent of the graduates have been women. Thirty of the Leadership Development graduates (54 percent) have received new jobs or promotions since they graduated from the program. A full two-thirds of these were minorities.

While this program would not have been possible without private funding, the Library's service units contributed materially by committing the time, salaries and benefits of their participating employees so that they could benefit from the training and experience of this program.

The Library also conducts a **Comprehensive Development Intern Program (CDIP)** and an **Affirmative Action Tuition Support Program**. The CDIP, conducted periodically as resources permit, has been a means for staff, including minorities, to move from clerical and technical to professional positions, GS-9 to GS-12. For example, four African American women have moved to the professional ranks in my own office, HRS, through this program. The Affirmative Action Tuition Support Program provides assistance up to \$2,000 for a Library employee's education process including tuition, books, and other fees directly related to the educational process. This program provides an opportunity for Library staff to gain additional education and training that will help them compete for positions in targeted job series such as Social Science Analyst, Economist, Information Technology Specialist, Administrative Officer, Copyright Examiner, and Librarian.

In 2008, the OWD will implement a pilot for a new **Career Development Program**. This program is being designed to address the professional development needs of staff in grades GS-2 through GS-9. Women make up 63 percent of this targeted population while 73 percent of this group are minorities.

#### *Diversity as Performance Target*

The Library also has in place top-down accountability measures for its managers' performance based on their demonstrated commitment to equal opportunity and fairness. As part of their annual performance review, all senior managers must show their commitment to eliminating any under-representation and grade level disparity of minorities, women and persons with disabilities. Managers are expected to set long- and short-range goals for achieving a balanced work force through the Library's MYAEPP and the application of AA/EEO principles to employee management.

Managers' performance is also measured by the extent of commitment to implement decisions and to work with the Equal Employment Opportunity Complaints Office and the Dispute Resolution Center in processing complaints expeditiously.

### *Succession Planning*

The Library's 2008-2013 Strategic Plan includes under its "workforce" goal the establishment of an agency-wide succession plan. This effort will be coordinated by the HRS Office of Workforce Development. The office has partnered with Office of Personnel Management's (OPM) Center for Small Agencies and established an interagency agreement with OPM's Division for Human Resources Products and Services Training and Management Assistance Program to provide assistance as the Library creates and implements the plan.

In FY07 HRS created a small team to develop a succession planning proposal. To date, the team has researched best practices of succession planning at other institutions and has established a project proposal that will be presented to the Librarian's Office and Executive Committee.

Upon approval to proceed, the project will be chartered and initiated to ensure participation across the Library. Expected deliverables for the first phase include (1) the plan, (2) identification of mission critical positions, (3) executive core competencies, (4) Library (all staff) core competencies and (5) a current state report of knowledge transfer initiatives across the Library.

In the late 1990's, when it was projected that 52 percent of CRS overall staff would be eligible to retire by fiscal year 2006, CRS developed a succession planning initiative to bring in junior staff while the more senior staff were available to pass on their expertise. CRS received budgetary support from the Congress to cover the first two fiscal years of this initiative. With Congress' initial support and CRS' commitment to continue to carry out the succession planning initiative in subsequent years using regular appropriations, CRS has been successful in acquiring the professional expertise it needs. CRS continues to conduct a bi-annual survey of staff eligible to retire within five years to determine their planned retirement date. A risk assessment is then completed to identify potential gaps in the coverage of critical areas. When these "at risk" areas are identified, positions are included on the annual staffing plan to ensure future coverage.

About 75 percent of the CRS senior management team is eligible or will be eligible to retire within the next couple of years. In preparation for this major loss (50 percent have been eligible to retire for 5 years or more) and as part of its succession planning efforts, CRS is creating new section research management positions that will replace the current section head system. The expectation is that when these new positions are competitively filled, those selected will serve as a rich candidate pool from which to fill the senior management positions as current incumbents retire. In filling

these new section research management positions, CRS will ensure that its targeted recruitment efforts include a specific focus on attracting minorities and women.

### **Senior Level Compensation and Awards**

The Committee has also requested information regarding the distribution of compensation and awards to Library senior managers.

Increases in aggregate compensation caps for the Senior Executive Service through the Homeland Security Act of 2002 [P.L. 107-296] and the Defense Authorization Act of 2003 [P.L. 108-136] have meant that the Library lags far behind in senior manager pay. Taken together, the pay gap is currently over \$29,000 per year in aggregate compensation and nearly \$13,000 per year in basic pay for senior managers between the executive branch and the Library; the Library has for several years explored legislative strategies to eliminate this gap. Meanwhile, approximately 85 percent of Library Senior Level executives are at the statutory pay cap, resulting in pay compression throughout the institution. As a result, recruitment and succession planning are particularly challenging at the Senior Level.

Under Library regulations, adjustments to senior level basic pay, other than those driven by statute, are based on performance. Senior Level executives are subject to a comprehensive, model performance management system. Performance plans must be established for all executives and, as noted earlier, must include a commitment to diversity and fairness. The executive and the supervisor determine, in a consultative manner, applicable critical elements, as well as appropriate relative weights to be assigned to each element, against which performance will be measured. Executives must be appraised annually, on a calendar year cycle.

Each year, the Library's **Performance Review Board**, whose members are designated by the Librarian, meets to ensure that final ratings and performance recognition are justified properly in the performance appraisal and to ensure equity and consistency among ratings. Following this review process, ratings are transmitted to the Chief Operating Officer, who makes final determinations regarding performance appraisals after consulting with the Librarian.

Upon the conclusion of this process, HRS implements the performance-based pay adjustments. If an adjustment would take the executive above the salary limit established by law, then the amount of the proposed performance adjustment that exceeds the limit will be given as an award rather than as an increase to the base. Indeed, most Library executive awards are given because such executives cannot receive performance-based pay adjustments because of statutory pay caps outlined above.

In addition to performance-based pay adjustments or an award issued because the executive is at the salary limit established by law, an executive may be eligible for a performance award. To be considered for a performance award, the executive must have



made an outstanding achievement in an activity that is critical to the mission of the Library. Again, Library executive total compensation, which includes pay, awards, and other allowances authorized by law, is capped by statute at a level that is over \$29,000 less than that available to most executive branch senior executives, a situation that no doubt hampers the Library's ability to attract the best and brightest candidates and make further progress in its efforts to hire and retain an even more diverse senior management.

I will be happy to answer any questions Subcommittee members may have.