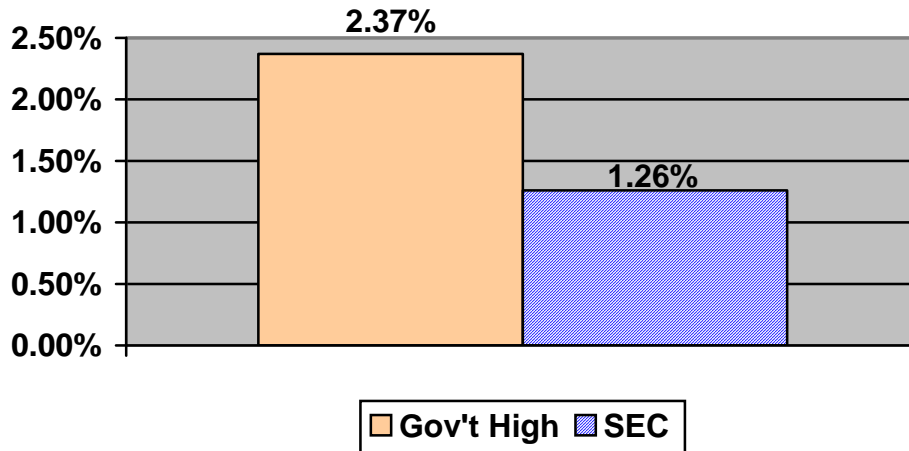




| MD-715 Elements  | INDICATORS  | ASSESSMENT  | SCORE |
|--|---|---|-------|
| Demonstrated Commitment From Agency Leadership         | An EEO policy statement is issued annually by agency head.  | SEC issued an EEO policy statement in FY 2006.  | 100   |
|  | Agency issued a comprehensive anti-harassment policy.   | SEC issued a comprehensive anti-harassment policy.  | 100   |
| Integration of EEO Into the Agency's Strategic Mission | EEO is incorporated into agency's human capital strategic plan.   | EEO is not incorporated in SEC's human capital strategic plan.  | 0     |
|  | EEO director reports to agency head.  | SEC's EEO director reports directly to agency head.   | 100   |
|  | EEO director has regular access to agency head.   | SEC's EEO director has regular access to agency head and senior level executives.   | 100   |
| Management and Program Accountability                  | EEO director briefs agency head and senior level officials on state of EEO.   | SEC's EEO director provided state of the agency briefing to agency head and senior level officials.   | 100   |
|  | Managers and supervisors have measures in their performance plans to evaluate their efforts to ensure equal employment opportunity for all staff. | Performance plans of all managers and supervisors contain element(s) designed to evaluate the efforts made to ensure EEO within the workplace and hold managers accountable for achieving the same. | 100   |
|  | Reasonable accommodation procedures are posted on the agency's external website.  | SEC has not posted its reasonable accommodation procedures on its external website.   | 0     |
| Proactive Prevention of Unlawful Discrimination        | Applicant flow data is collected to evaluate the agency's recruitment and promotion activities.   | SEC submitted applicant flow data on Tables A/B 7 and 9, but not on Tables A/B 11 and 12.   | 50    |
|  | Agency set numerical goal for hiring people with targeted disabilities.   | SEC established a numerical goal for hiring people with targeted disabilities.  | 100   |
|  | Agency met the government high for participation rate of employees with targeted disabilities.  | SEC's participation rate of employees with targeted disabilities (1.26%) was 53.16% of the federal high (2.37%).  | 53    |
| Efficiency   | Timeliness of EEO counselings.  | SEC's rate of timely completing EEO counseling was 86.36%.  | 86    |
|  | Timeliness of EEO investigations.   | SEC's rate of timely completing EEO investigations was 86.67%.  | 87    |
|  | Timeliness of merit decisions on EEO complaints without an administrative judge's decision.   | SEC's rate of timely issuing final agency decisions on the merits was 50.00%.   | 50    |
|  | Use of alternative dispute resolution (ADR) program.  | SEC's ADR offer rate during the pre-complaint stage of the EEO process was 100%.  | 100   |
|  | Resolution of EEO counselings.  | SEC resolved 45.45% of EEO counselings at the pre-complaint stage.  | 45    |
| Responsiveness and Legal Compliance                    | Timeliness of submitting complaint files for the hearing.   | At the hearing stage, SEC submitted its complaint files to EEOC in an average of 14 days.   | 100   |
|  | Timeliness of submitting complaint files on appeal.   | At the appellate stage, SEC submitted its complaint files to EEOC in an average of 26 days.   | 100   |
|  | Timeliness of 462 report submission.  | SEC submitted its 462 report to EEOC by October 31 <sup>st</sup> , or within the extended time frames granted.  | 100   |
|  | Timeliness of MD-715 report submission.   | SEC submitted its MD-715 report to EEOC by January 31 <sup>st</sup> , or within the extended time frames granted.   | 100   |
| All  | Total Weighted Score: 948 out of 1200. (See Glossary for Weighted Score Formula)  |   |       |

**Securities and Exchange Commission (SEC) - FY 2006  
EEO Program Outcome Indicators**

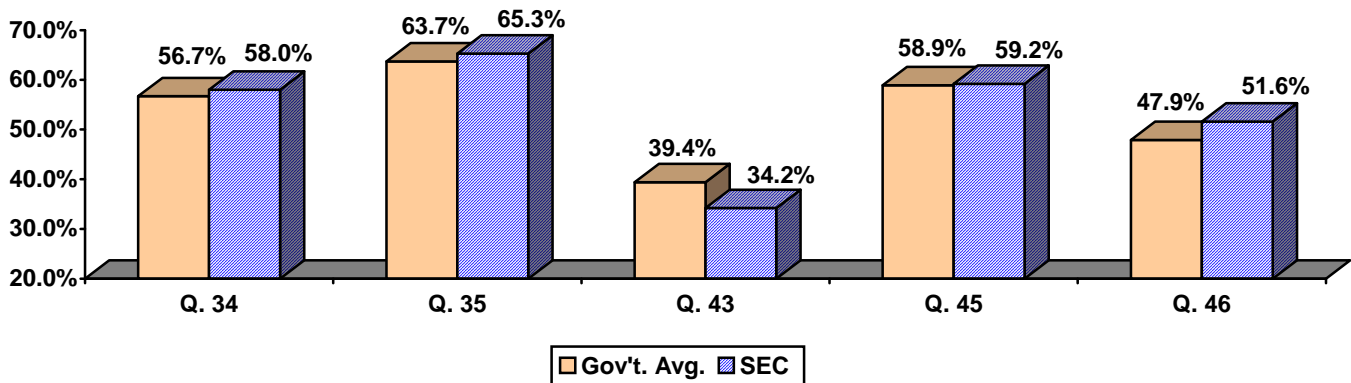
**Participation Rate of People with Targeted Disabilities in SEC's Total Workforce**



**Office of Personnel Management FY 2006 Federal Human Capital Survey  
SEC's Responses to Selected Questions**

- Q. 34 – Policies and programs promote diversity in the workplace (for example, recruiting minorities and women, training in awareness of diversity issues, mentoring)**
- Q. 35 – Managers/supervisors/team leaders work well with employees of different backgrounds**
- Q. 43 – Complaints, disputes or grievances are resolved fairly in my work unit**
- Q. 45 – Prohibited personnel practices (for example, illegally discriminating for or against any employee/applicant, obstructing a person's right to compete for employment, knowingly violating veterans' preference requirements) are not tolerated**
- Q. 46 – I can disclose a suspected violation of any law, rule or regulation without fear of reprisal**

In comparing SEC to the government-wide average, the chart below identifies the percentage of employees who answered "strongly agree" or "agree" to the above questions.



**Securities and Exchange Commission (SEC) - FY 2006  
EEO Program Outcome Indicators**

**Analysis of Total Workforce, Major Occupations, and Odds Ratio for the Senior Grade Levels**

| EEO Groups   | 2000 Civilian Labor Force (CLF) | FY 2006 Agency Partic. Rate in TWF | Major Occupations |              |          |              |                     |              | Odds Ratio Analysis of Senior Grade Levels |               |            |      |
|--|---------------------------------|------------------------------------|-------------------|--------------|----------|--------------|---------------------|--------------|--|---------------|------------|------|
|  |                                 |                                    | Accounting        |              | Attorney |              | Compliance Examiner |              | Promotion Grade                            | Current Grade | Odds Ratio | Odds |
|  |                                 |                                    | Occ. CLF          | Partic. Rate | Occ. CLF | Partic. Rate | Occ. CLF            | Partic. Rate |  |               |            |      |
| <b>Male</b>  | 53.23%                          | 51.12%                             | 43.00%            | 59.52%       | 71.32%   | 57.45%       | 57.56%              | 59.43%       | SES  | GS-15         | 1.14       | >    |
| <b>Female</b>  | 46.77%                          | 48.88%                             | 57.00%            | 40.48%       | 28.68%   | 42.55%       | 42.44%              | 40.57%       | SES  | GS-14/15      | 1.37       | >    |
|  |                                 |                                    |                   |              |          |              |                     |              | GS-15                                      | GS-14         | 1.31       | >    |
| <b>Hispanic/Latino Male</b>                          | 6.17%                           | 2.30%                              | 2.03%             | 2.81%        | 2.05%    | 2.40%        | 2.24%               | 2.29%        | SES  | GS-15         | 0.87       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-14/15      | 0.72       | <    |
| <b>Hispanic/Latino Female</b>                        | 4.52%                           | 2.44%                              | 3.10%             | 2.81%        | 1.24%    | 1.69%        | 1.65%               | 2.29%        | GS-15                                      | GS-14         | 0.76       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-15         | 1.04       | >    |
| <b>White Male</b>                                    | 39.03%                          | 39.58%                             | 35.05%            | 49.24%       | 65.22%   | 47.57%       | 48.27%              | 47.43%       | SES  | GS-14/15      | 1.02       | >    |
|  |                                 |                                    |                   |              |          |              |                     |              | GS-15                                      | GS-14         | 0.96       | <    |
| <b>White Female</b>                                  | 33.74%                          | 28.17%                             | 42.80%            | 27.49%       | 23.93%   | 32.75%       | 30.34%              | 28.00%       | SES  | GS-15         | 0.75       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-14/15      | 0.51       | <    |
| <b>Black/African-American Male</b>                   | 4.84%                           | 5.08%                              | 2.55%             | 2.49%        | 2.00%    | 3.39%        | 4.47%               | 2.86%        | GS-15                                      | GS-14         | 0.60       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-15         | 5.20       | >    |
| <b>Black/African-American Female</b>                 | 5.66%                           | 13.85%                             | 5.31%             | 4.55%        | 1.88%    | 3.81%        | 6.92%               | 5.14%        | SES  | GS-14/15      | 2.50       | >    |
|  |                                 |                                    |                   |              |          |              |                     |              | GS-15                                      | GS-14         | 0.36       | <    |
| <b>Asian Male</b>                                    | 1.92%                           | 3.97%                              | 2.72%             | 4.76%        | 1.24%    | 3.81%        | 1.90%               | 6.29%        | SES  | GS-15         | 1.05       | >    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-14/15      | 0.98       | <    |
| <b>Asian Female</b>                                  | 1.71%                           | 4.22%                              | 4.70%             | 5.52%        | 1.04%    | 4.09%        | 2.79%               | 5.14%        | GS-15                                      | GS-14         | 0.89       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-15         | 0.58       | <    |
| <b>Native Hawaiian/Other Pacific Islander Male</b>   | 0.06%                           | 0.00%                              | 0.03%             | 0.00%        | 0.02%    | 0.00%        | 0.00%               | 0.00%        | SES  | GS-14/15      | 0.63       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | GS-15                                      | GS-14         | 1.11       | >    |
| <b>Native Hawaiian/Other Pacific Islander Female</b> | 0.05%                           | 0.03%                              | 0.06%             | 0.00%        | 0.01%    | 0.07%        | 0.03%               | 0.00%        | SES  | GS-15         | 0.44       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-14/15      | 0.43       | <    |
| <b>American Indian/Alaska Native Male</b>            | 0.34%                           | 0.17%                              | 0.12%             | 0.22%        | 0.11%    | 0.28%        | 0.25%               | 0.00%        | GS-15                                      | GS-14         | 0.97       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-15         | 0.18       | <    |
| <b>American Indian/Alaska Native Female</b>          | 0.32%                           | 0.14%                              | 0.26%             | 0.11%        | 0.09%    | 0.07%        | 0.17%               | 0.00%        | SES  | GS-14/15      | 0.16       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | GS-15                                      | GS-14         | 0.79       | <    |
| <b>2 or More Races Male</b>                          | 0.88%                           | 0.03%                              | 0.50%             | 0.00%        | 0.68%    | 0.00%        | 0.42%               | 0.57%        | SES  | GS-15         | 0.44       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-14/15      | 0.24       | <    |
| <b>2 or More Races Female</b>                        | 0.76%                           | 0.03%                              | 0.77%             | 0.00%        | 0.48%    | 0.07%        | 0.55%               | 0.00%        | GS-15                                      | GS-14         | 0.44       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | SES  | GS-15         | NA         | NA   |
| <b>People with Targeted Disabilities</b>             | NA                              | 1.26%                              | NA                | 0.48%        | NA       | 0.89%        | NA                  | 0.58%        | SES  | GS-14/15      | 0.00       | <    |
|  |                                 |                                    |                   |              |          |              |                     |              | GS-15                                      | GS-14         | 0.00       | <    |

\*Odds ratio analysis is shown only for race, gender, and ethnicity. Promotion analysis for people with targeted disabilities (PWTD) was deemed inappropriate given the dearth of such persons in the federal workforce.

**Securities and Exchange Commission (SEC) - FY 2006  
Glossary**

**Comprehensive Anti-Harassment Policy:**

A comprehensive anti-harassment policy addresses all EEO bases.

**DNF:**

The agency did not file a FY 2006 MD-715 report with EEOC.

**Federal Human Capital Survey:**

The Federal Human Capital Survey is a tool that measures employees' perceptions of whether, and to what extent, conditions characterizing successful organizations are present in their agencies. The survey was first conducted in 2002, which set a baseline for ongoing assessment in the federal government. The survey was conducted again in 2004 and 2006. The goals of the survey include (1) providing general indicators of how well the federal government is running its human resources management systems; (2) serving as a tool for OPM to assess individual agencies and their progress toward "green" status on strategic management of human capital under the President's Management Agenda; and (3) giving senior managers critical information to answer the question of "what can I do to make my agency work better".

**NA:**

Not applicable.

**NRF**

Not required to file.

**Occ. CLF:**

The U.S. Census Bureau defines the Civilian Labor Force (CLF) as all non-institutionalized civilians 16 and older who are either working or looking for work. The 2000 Census includes over 31,000 occupation titles based upon how individuals reported their type of work. The occupational CLF provides a participation rate for each EEO group's employment in particular occupations.

**Odds Ratio:**

Odds ratio is a method of comparing whether the probability of a certain event is the same for two groups. Each EEO group is compared to the rest of the agency workforce and the event measured is promotion to GS-15 or SES. An odds ratio of 1 implies that a promotion is equally likely. An odds ratio greater than 1 implies that a member of the EEO group is more likely to be promoted than an employee in the rest of the workforce. An odds ratio less than 1 implies that a member of the EEO group is less likely to be promoted than an employee in the rest of the workforce. Odds ratio analysis is shown only for race, gender, and ethnicity. Promotion analysis for people with targeted disabilities was deemed inappropriate given the dearth of such persons in the federal workforce.

**Odds Ratio Formulas:**

$$\frac{\text{EEO Group SES} \times (\text{Total 15} - \text{EEO Group 15})}{(\text{Total SES} - \text{EEO Group SES}) \times \text{EEO Group 15}}$$

$$\frac{\text{EEO Group SES} \times (\text{Total 15\&14} - \text{EEO Group 15\&14})}{(\text{Total SES} - \text{EEO Group SES}) \times \text{EEO Group 15\&14}}$$

$$\frac{\text{EEO Group 15} \times (\text{Total 14} - \text{EEO Group 14})}{(\text{Total 15} - \text{EEO Group 15}) \times \text{EEO Group 14}}$$

**Odds Ratio Scoring:**

Odds > means the ratio is above 1

Odds < means the ratio is below 1

Odds = means the ratio is 1

**Partic. Rate:**

Participation Rate is the percentage of the total workforce represented by the particular group.

**Raw Score for Indicators Evaluating Average Days in the EEO Program Activities:**

The raw score for indicators evaluating the average days to submit complaint files at the hearing and appellate stages is calculated as follows:  $[100 \text{ minus } \{( \text{the average days for EEOC to receive the agency's complaint files minus (the regulatory required time frame plus five days for mailing)) \text{ multiplied by two} \}]$ . For example, if EEOC received the complaint files from an agency in an average of 47 days at the appellate stage, which is after the 30 day time frame, the raw score would be 76  $[100 \text{ minus } \{(47 \text{ minus } (30 \text{ plus } 5)) \text{ multiplied by } 2\}]$ .

**Resolution Rate:**

Resolution rate is the percentage of EEO counselings that are resolved by either settlement or withdrawal from the EEO process during the pre-complaint stage.

**Weighted Score of the EEO Program Activities Indicators:**

Each of the MD-715 six essential elements is weighted equally at 200 total points per element, resulting in a maximum weighted score of 1200 points. Because some of the elements have a raw score that exceeds 200 points, the raw score is converted to a weighted score by using the following formula:  $(\text{agency's raw score for that element multiplied by } 200) \text{ divided by the maximum raw score for that element}$ . For example, if the agency has a raw score of 345 in the Efficiency element out of a maximum raw score of 500, the weighted score would be 138  $[(345 \text{ multiplied by } 200) \text{ divided by } 500]$ .

**TWF:**

The total workforce is a snapshot of the agency's employees on Sept 30, 2006, as reported by the agency in its MD-715 workforce data table A-1.