

# **Latinos in the Federal Workforce: Lack of Representation Has Consequences**

**A Report From  
The Alliance of Latino Leadership & Policy  
September 2023**

## Executive Summary

The Alliance of Latino Leadership & Policy (ALLP) was founded on the belief that Latino Community representation at all levels of the public service – from judges to Congress to Federal & state bureaucrats – is essential to the future prosperity of our Nation. Unfortunately, Latinos are underrepresented at virtually all levels of public service, most acutely in the Federal workforce.

Although Latinos comprise nearly 20% of our Nation's population and 18% of the Civilian Labor Force (CLF), we constitute only 9.1 % of the Federal workforce. The extent of this underrepresentation is most significant in senior-level positions. Latinos tend to be clustered in lower-level, non-mission-critical positions within most Federal Departments and Agencies.

Every Presidential Administration since 1969 has been aware of this underrepresentation and all have proposed various solutions through Presidential Executive Orders, Congressional action, or individual agency initiatives. *None of these efforts have succeeded.* Since 1970, there has been a *net zero* increase in the Latino representation in the Federal workforce while at the same time *all other racial/ethnic groups* have reached or exceeded parity.

### **Why It Matters**

The underrepresentation of Latinos in the Federal workforce has consequences. As the saying goes, “If you’re not at the table, you’re on the menu.”

This is especially true when it comes to allocating the Federal government’s annual \$3.2 trillion discretionary budget. Those resources are intended to be equitably distributed to all U.S. citizens but often fail to reach those who need them the most because of policy and resourcing decisions made by the 2.2 million civil servants who make up the Federal workforce.

The absence of Latinos in the Federal government's spaces of power where policy is formulated and priorities are decided has far-reaching socio-economic implications for the Latino Community and our Nation. For example:

- The Federal government impacts all communities on a daily basis through policies that improve the environment, economic development, health/education and a host of other services and programs. Underrepresentation in the seats of power leads to disparities in wealth, healthcare access, and other measures of well-being. The Covid pandemic, for example, exposed deep-rooted economic and health inequities that exacerbated infection and mortality rates in the Latino Community.
- Agencies such as the U.S. Department of Education & Department of Health & Human Services have historically made policy, program and resource decisions that negatively impact the Latino Community. The Biden Administration has proposed new policies and programs to remedy these challenges, but it is difficult to unwind decades of misguided decisions, particularly when the Latino Community is not fully represented during those policy and resource discussions.
- Federal bureaucrats make these consequential decisions without a full understanding of the needs of the U.S. Latino community. Federal policies for the Latino Community have historically focused on immigration and labor laws, but the 21<sup>st</sup> Century Latino Community is much more dynamic and

complex. Our Nation's economic success is inextricably linked to the economic success of the Latino Community, which in 2020 contributed \$2.8 trillion to the U.S. GDP, surpassing the GDP of India and the United Kingdom.

- As our Nation's youngest demographic group, Latinos play a critical role in labor market growth. The Bureau of Labor Statistics projects Latinos will account for 78% of net new workers between 2020-2030. As the Federal workforce ages and leaves Federal employment, developing a pipeline of young skilled Latinos is an obvious solution to revitalizing the Federal workforce.

### ***Our Solutions***

Because the Federal government, including Congress and the Executive Branch, has failed to solve the challenge of Latino underrepresentation in the Federal workforce, we believe it is time for the Latino Community to work together to address this issue. ALLP proposes three long-term solutions and numerous short-term actions.

#### Long-term solutions include:

- Partner with other Latino groups to ensure that our community receives the full benefits of the Federal government's annual \$3.2 trillion in essential services. This will involve influencing programs and policies emerging from Congress and the Administration, such as the Inflation Reduction Act (IRA).
- Work with academic institutions to build a pipeline of Latino policy experts to serve in leadership positions in Federal, state and local governments. ALLP will create leadership development programs, including a mentoring program, that helps prepare the next generation of Latino policy experts for careers in public service.
- Provide opportunities for Latino policy experts to advocate for policies and programs that will strengthen the U.S. Latino community. ALLP will help build a bench of policy experts who will conduct research, appear at policy forums, and advocate through traditional and social media for the U.S. Latino Community.

#### Short-term solutions include:

- White House acknowledgment of the severity of underrepresentation and re-issue Presidential Executive Order (EO) 13171.
- Congressional oversight of Federal government Departments and Agencies.
- Require OPM to submit to Congress annual Latino-specific recruitment plans and timetables for reaching Latino full employment.
- Collaborative initiatives with other Latino organizations and Hispanic Serving Institutions (HSIs) to develop a pipeline of Latino talent ready to engage in public service.

# Latino Underrepresentation – 6 Decades of Failure

Our Nation faces an alarming underrepresentation of Latinos in civilian Federal government service.

Year after year, decade after decade, internal government recruitment and hiring efforts meet the minimum perfunctory reporting obligation, and year after year, the same Federal departments and agencies fail to make any progress on Latino Federal employment. OPM publishes the agency findings, and the cycle repeats. The implications for Latinos and our Nation resulting from this pervasive trend increase as the U.S.'s Latino population grows in size and economic importance.

## Significant Disparities in Latino Federal Workforce Representation

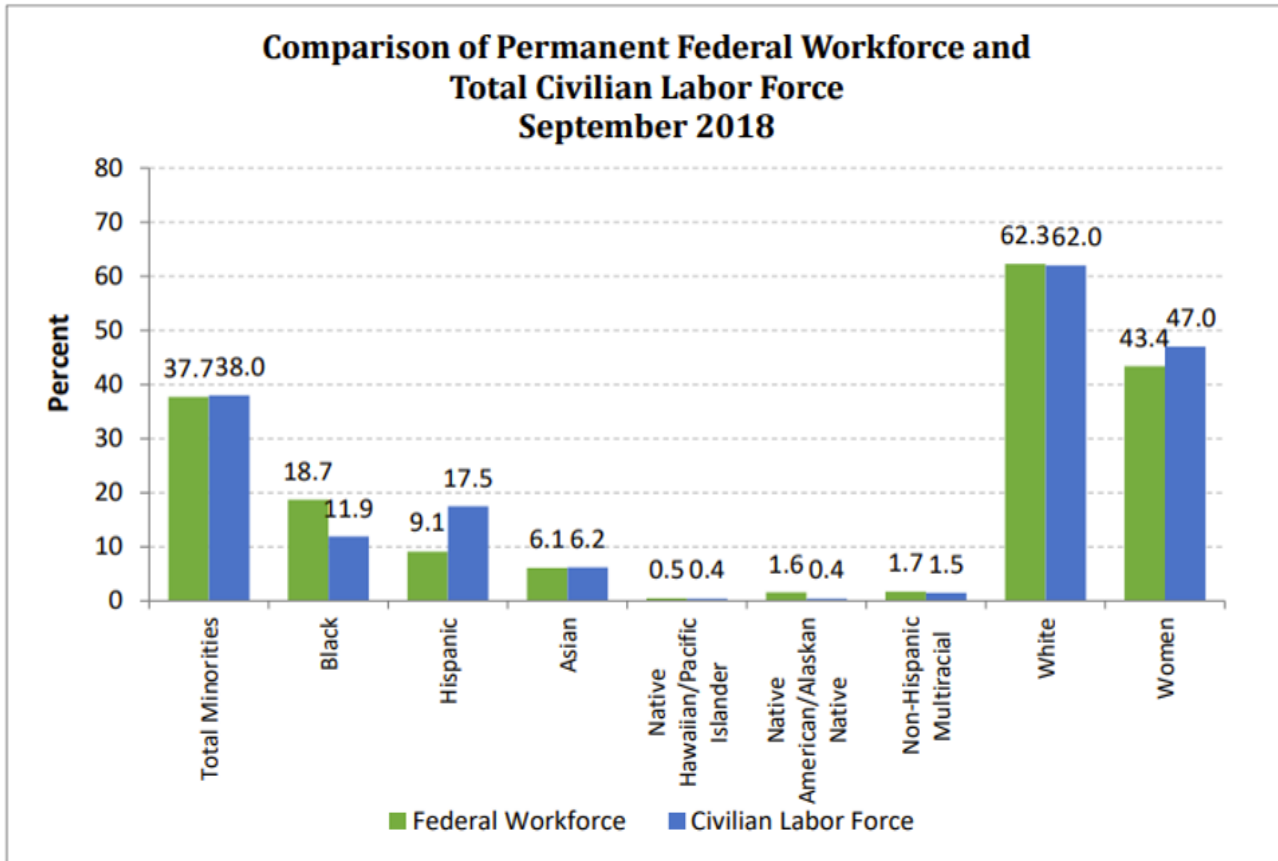
The Federal government is the largest employer in the Nation and the most prominent enforcer of laws. It should serve as a model for fair and just hiring practices and endeavor to achieve a Federal workforce representative of all segments of society. Yet, Latinos remain the only demographic group that has not reached full representation in Federal employment. Our analysis of U.S. Office of Personnel Management (OPM) and other government reports reveals numerous disturbing trends:

- The rate of annual Latino hires remains consistently below the Latino Civilian Labor Force (CLF) gains.
- Retention rates for Latinos in the Federal workforce are low, not improving, and are offsetting Latino hires.
- Latinos are severely underrepresented in the Senior Executive Service, which is the career leadership corp for the Federal government.
- Latinos are significantly underrepresented in mission critical positions at all agencies.
- Only one major agency – the Department of Homeland Security – has Latino representation exceeding the Latino CLF, but most of those Latinos work in frontline positions and not positions of authority at DHS.
- Two agencies that are critical to the well-being of the Latino Community – the Department of Education (ED) and the Department of Health and Human Services (HHS) – have failed to achieve even a semblance of equitable Latino representation.

## Latinos are the Only Underrepresented Group in the Federal Workforce

The Federal government has achieved its statutory diversity goal concerning every minority group except Latinos.[41] As Table 1 illustrates, Latinos have become the largest minority group in the country yet remain the only under-represented demographic group in Federal employment that is not making any progress toward full representation.

Table 1



OPM FEORP Report: The Fiscal Year 2018

In addition to the Federal workforce representation rate, Table 2 below illustrates the rate for the Senior Executive Service (SES) category, the premier senior leadership rank in Federal career service for each

demographic group. Although all groups except white remain underrepresented in the SES category, the disparity between Federal employment and the SES rate is largest among Latinos.

Table 2 Composition of Federal Workforce at a Glance

	Representation in Federal Workforce		Representation in Senior Executive Service	
	FY 2017	FY 2018	FY 2017	FY 2018
Men	56.7	56.5	66.0	66.2
Women	43.3	43.4	34.0	33.8
Black	18.6	18.7	10.4	10.6
Hispanic	8.9	9.1	4.6	4.6
Asian	5.9	6.1	3.5	3.7
Native Hawaiian / Pacific Islander	0.5	0.5	0.2	0.2
American Indian / Alaska Native	1.6	1.6	1.2	1.1
Non-Hispanic Multiracial	1.6	1.7	.08	0.9
White	62.8	62.3	79.2	78.8

OPM FEORP Report: Fiscal Year 2018

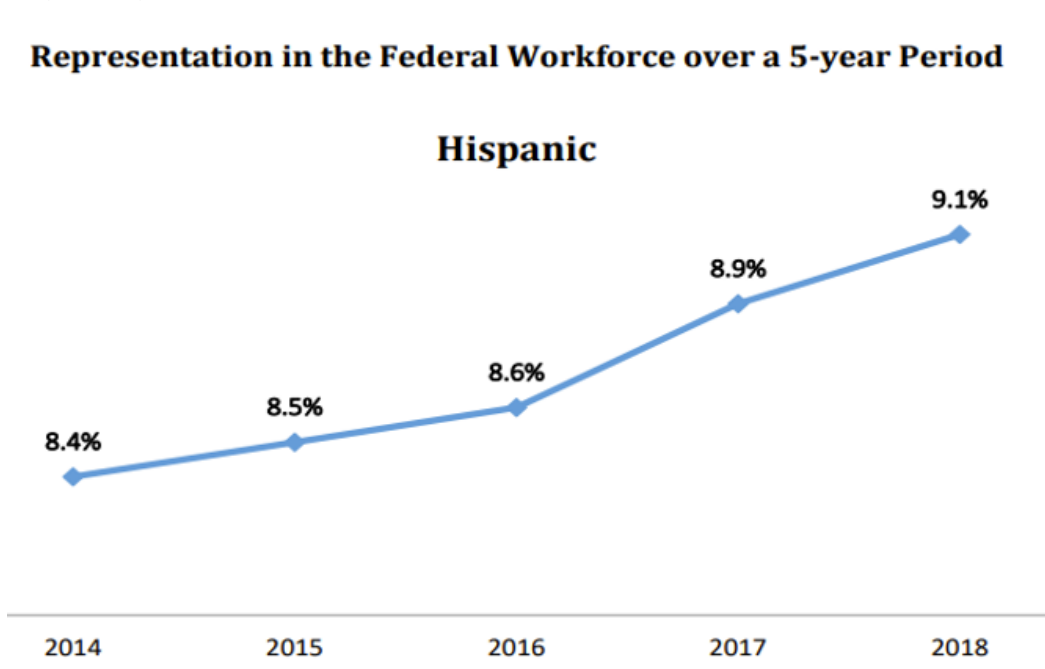
### Latino Underrepresentation in the Federal Workforce is Growing as the Latino CLF Participation Rate Increases

Latino new hires in the Federal government have remained below the Latino CLF for the last two decades. In their 2006 report, the National Hispanic Leadership Agenda (NHLEA) noted that the rate of Hispanic hires between FY2001-FY2005 had minimal impact on the overall Latino employment in the Federal government because the rate of new hires consistently fell below the CLF.

ALLP reviewed OPM reports from FY2014-FY2018. Like the NHLA findings a decade earlier, ALLP found that the rate of Latino new hires had little impact on the overall rate of Latino representation in the Federal workforce. Further, the rate remained consistently below the Latino CLF.

**Table 3**

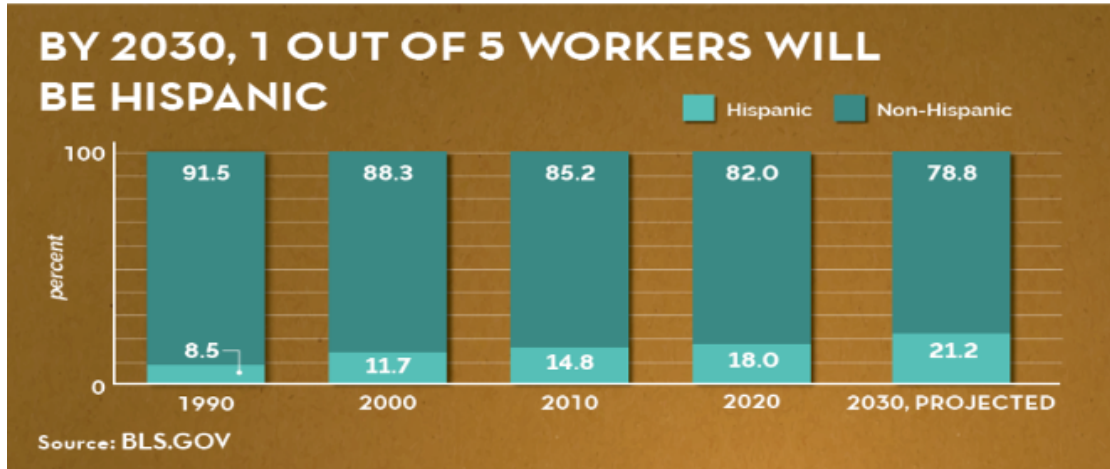
Hispanic Representation in the Federal Workforce FY2014-2018



OPM FEORP Report: Fiscal Year 2018

**Table 4**

Gap Between Hispanics and Non-Hispanics in the Workforce



*Hispanics in the Labor Force: 5 Facts*

As the share of the Latino CLF grows, the gap in Latino Federal workforce representation will continue to widen.

### The Marginal Number of Latino New Hires in Federal Employment is Being Offset by Significant Attrition Rates

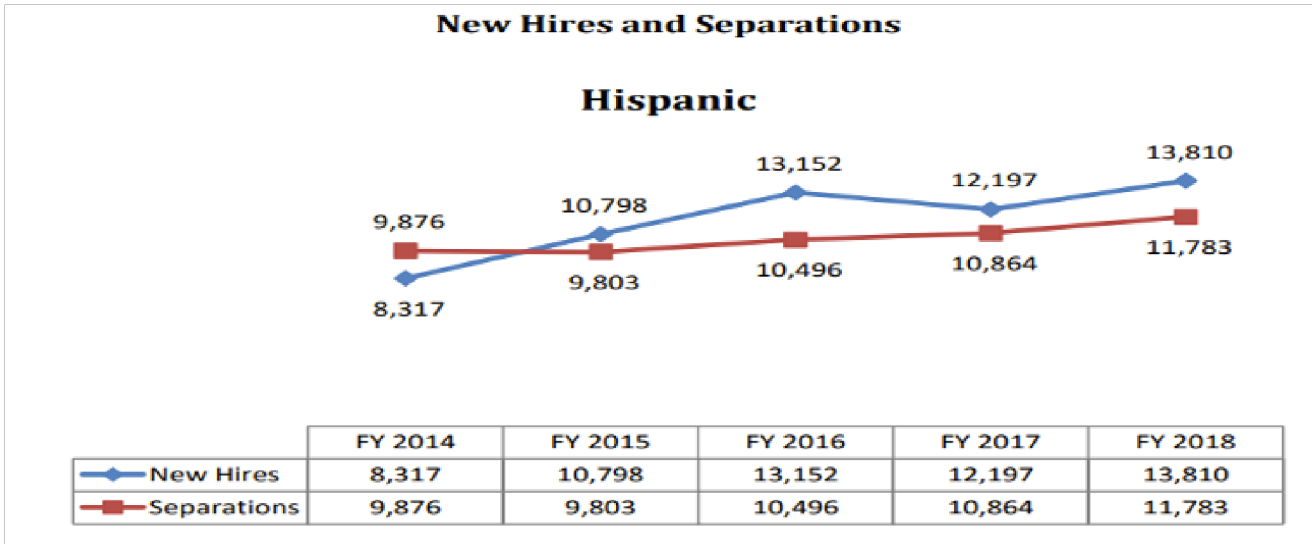
In addition to the gap between new hires and the Latino CLF, the attrition rate is another challenge in reaching Latino parity in Federal employment. The number of Latinos leaving the Federal workforce is offsetting any marginal hiring increase.

The reports on Hispanic Employment Statistics show that Latino new hires in Federal employment from FY2014-FY2018 totaled 58,274. The cumulative Latino resignations during this time totaled 52,822, representing 91% of total Latino Federal new hires (OPM FEORP Report, Fiscal Year 2018).



**Table 5**

Hispanic New Hires and Separations FY2014-2018



OPM FEORP Report: Fiscal Year 2018

In 2008, the Equal Employment Opportunity Commission (EEOC) Hispanic Federal Working Group found that high attrition for certain historically excluded groups was possibly caused by stereotypical and cultural misconceptions that negatively contribute to discipline, evaluations, and decisions on advancement. The Report pointed to anecdotal evidence suggesting Latinos were leaving Federal service because they were not advancing in their careers. Some Hispanic employees believed they were subjected to unlawful discrimination (EEOC Hispanic Federal Employment Report, 2008).

The EEOC Hispanic Federal Working Group also noted that Latino new hires and separation data showed that the erosion in the number of Latino new hires had doubled since 2005, which should have triggered a red flag and prompted immediate action by OPM. Particularly considering the 2008 EEOC's comment that at least – anecdotally – the cause could be the result of discrimination. The Federal government's failure to develop and implement government-wide retention and career development programs specific to Latinos contributes to the continued underrepresentation of Latinos in the Federal workforce.

## Latinos Tend to be Clustered in Non-Mission Critical Occupations and the Lower Ranks of the General Schedule Pay Scale

In their 2008 report on Hispanic Federal Employment, the EEOC's Hispanic Working Group found that Latino participation was lacking in most agencies' major (mission critical or dominant) job series. Additionally, the 2008 EEOC report found that Hispanics were not equally participating throughout the organizations and instead remained clustered in categories and occupational niches that interacted mainly with the Latino public.

The EEOC's FY2019 Annual Report on the Federal workforce illustrates that Latinos are disproportionately clustered in the lower ranks of the General Schedule (GS) pay scale. As Table 5 illustrates, Latinos, particularly Latinas, remain in the lower levels of the GS pay scale and are significantly underrepresented in the higher GS 14-15 pay grades.

**Table 6 Participation Across GS Pay Bands by Race/National Origin and Sex, FY 2003 and FY 2019**

*EEOC 2019 Report of the Federal Workforce*

	2003 GS 1-6	2019 GS 1-6	2003 GS 7-11	2019 GS 7-11	2003 GS 12-13	2019 GS 12-13	2003 GS 14-15	2019 GS 14-15	2003 GS Total	2019 GS Total
Total Male	34.3%	<b>38.0%</b>	45.3%	<b>49.6%</b>	61.4%	<b>61.2%</b>	69.7%	<b>60.5%</b>	50.7%	<b>55.6%</b>
Total Female	65.7%	<b>62.0%</b>	54.7%	<b>50.4%</b>	38.6%	<b>38.8%</b>	30.3%	<b>39.4%</b>	49.4%	<b>44.4%</b>
Hispanic/Latino Male	3.5%	<b>4.5%</b>	4.5%	<b>5.0%</b>	3.3%	<b>7.2%</b>	2.6%	<b>3.3%</b>	3.7%	<b>5.6%</b>
Hispanic/Latino Female	5.1%	<b>7.1%</b>	4.1%	<b>5.8%</b>	2.0%	<b>3.4%</b>	1.1%	<b>2.1%</b>	3.3%	<b>4.3%</b>
White Male	21.6%	<b>21.9%</b>	32.7%	<b>32.1%</b>	49.5%	<b>41.9%</b>	58.9%	<b>45.3%</b>	38.4%	<b>37.8%</b>
White Female	36.3%	<b>30.2%</b>	33.7%	<b>25.7%</b>	26.1%	<b>21.6%</b>	22.5%	<b>24.2%</b>	30.7%	<b>24.0%</b>
Black/African American Male	6.7%	<b>6.8%</b>	5.5%	<b>7.5%</b>	4.9%	<b>6.6%</b>	4.0%	<b>5.8%</b>	5.4%	<b>6.8%</b>
Black/African American Female	18.4%	<b>15.0%</b>	13.4%	<b>13.8%</b>	8.2%	<b>9.6%</b>	4.7%	<b>8.7%</b>	11.9%	<b>11.2%</b>
Asian Male	1.6%	<b>2.1%</b>	1.9%	<b>3.1%</b>	3.1%	<b>4.1%</b>	3.6%	<b>5.1%</b>	2.4%	<b>3.8%</b>
Asian Female	3.2%	<b>3.0%</b>	2.2%	<b>2.6%</b>	1.8%	<b>3.0%</b>	1.7%	<b>3.7%</b>	2.2%	<b>3.0%</b>
Native Hawaiian / Other Pacific Islander Male	-	<b>0.44%</b>	-	<b>0.33%</b>	-	<b>0.27%</b>	-	<b>0.12%</b>	-	<b>0.28%</b>
Native Hawaiian / Other Pacific Islander Female	-	<b>0.40%</b>	-	<b>0.25%</b>	-	<b>0.15%</b>	-	<b>0.07%</b>	-	<b>0.19%</b>
American Indian/Alaska Native Male	0.97%	<b>1.82%</b>	0.81%	<b>1.09%</b>	0.65%	<b>0.74%</b>	0.63%	<b>0.53%</b>	0.77%	<b>0.90%</b>
American Indian/Alaska Native Female	2.78%	<b>5.79%</b>	1.21%	<b>1.77%</b>	0.50%	<b>0.60%</b>	0.32%	<b>0.37%</b>	1.22%	<b>1.35%</b>
Two or More Races Male	-	<b>0.41%</b>	-	<b>0.47%</b>	-	<b>0.35%</b>	-	<b>0.21%</b>	-	<b>0.37%</b>
Two or More Races Female	-	<b>0.51%</b>	-	<b>0.44%</b>	-	<b>0.27%</b>	-	<b>0.20%</b>	-	<b>0.33%</b>
Permanent GS Workforce	289,422	<b>77,615</b>	536,608	<b>316,009</b>	429,986	<b>426,807</b>	155,595	<b>165,222</b>	1,411,611	<b>985,653</b>

In assessing the data, the 2019 EEOC annual report attempts to put a positive slant on what remains a pattern of gross inequitable representation of Latinos throughout the Federal workforce. The EEOC writes that the Latino male rate "greatly increased their participation government-wide, particularly in GS grades 12-13". Latino male participation in the GS grades 12-13 increased by 4.1%, from 3.3% to 7.2%, in 16 years, or 0.26 of one percent annually. Marginal increases of this type should not be defined as "great increases" by the 2019 EEOC annual report. Instead, they should signal that immediate action to address EEO barriers is needed government-wide.

Table 6 illustrates how Latinos remain clustered in the lower GS bands and significantly underrepresented in the higher GS ranks. Latinas had the highest representation (7.1%) in GS grades 1-6, the lowest GS grade category, and only a 2.1% participation rate in GS grades 14-15. Additionally, Table 5 above illustrates that Latinas had a 1% increase in the latter category in 16 years while Latino males comprised 3.3% of the GS 14-15 pay band, an increase of .07 of one percent during the same 16-year period.

Besides higher pay, participation in GS grades 14-15 positions provides the succession pool from which most of the career Senior Executive Service (SES) members are selected. The FY2019 combined annual average increase for Latinos and Latinas in GS grades 14-15 was .04%, or four-tenths of one percent, annually. Latinos had the lowest participation rate in this GS band compared to Blacks and Asians, and this helps to explain why Latinos also have the lowest SES participation rate of any group. In addition, the negligible increase in GS grades 14-15 since 2003 demonstrates the difficulty Latinos/Latinas face in Federal career advancement opportunities, particularly in their ability to progress into the SES Corp.

## Latinos are Significantly Underrepresented in the Senior Executive Service (SES), the Highest Level of Federal Career Service

The SES, an elite group of 10,000 career executives, is the premier category of senior leadership in Federal career service. SES members earn higher pay and have the authority to make decisions on hiring and promotions that affect the diversity of the workplace. As the highest category of career leadership, SES members participate in formulating, implementing, and enforcing policies important to Americans and are viewed as the primary interface with political leadership at Agencies and Departments.

According to the EEOC's FY2019 Report on the Federal workforce, Latino participation in the Federal workforce is 10.6%, while Latinoparticipation in the SES category is 5.1%. Both figures are higher than those reported by OPM in FY2018, 9.1% and 4.6%, respectively.

**Table 7**

Hispanic/Latino Participation in Senior Executive Service and Senior Level Pay

<b>Hispanic/ Latino Participation</b>	<b>FY 2003 Gov't Wide</b>	<b>FY 2003 SLP</b>	<b>FY 2019 Gov't Wide</b>	<b>FY 2019 SES</b>
Hispanic Male	4.4%	2.5%	6.2%	<b>3.3%</b>
Hispanic Female	2.8%	0.9%	4.4%	<b>1.8%</b>

Figure 5. 8. Hispanic/Latino governmentwide and senior level pay (SLP) or Senior Executive Service (SES) participation, FY 2003 and 2019

*EEOC 2019 Report of the Federal Workforce*

The EEOC (2019) measures representation by comparing participation along occupational lines in the CLF and the Federal workforce, which yields a different and slightly higher Latino representation rate in the Federal workforce.

Regardless of how representation is measured, the fact remains that Latinos are severely underrepresented in the SES category and significantly below the Latino CLF. Additionally, Latinos made up only 5.4% of the GS grades 14-15 in 2019, the pool from which SES candidates are selected.

The EEOC has dual responsibilities in the Federal sector. It processes discrimination complaints and exercises oversight authority of Equal Employment Opportunity (EEO) programs, intended to assist Federal agencies in creating a model workforce.

The EEOC's 2019 report illustrates that Federal agencies are far from becoming a model workforce. The Latino community needs and deserves representation in spaces of power where policies critical to the well-being of the Latino community are decided. Of particular importance is increasing Latino representation in the Federal workforce's senior leadership.

The EEOC (2019) report could help to improve Latino representation in senior leadership positions by requiring Federal agencies to strengthen their EEO plans to address EEO barriers affecting advancement opportunities for Latinos. Most SES members are selected from the GS-15 pay scale band. We, therefore, urge the EEOC to assist the agencies in designing specific career development programs to increase the number of Latinos in the GS-15 pay scale category and ensure a larger pool of SES Latino candidates.

## An Extreme Level of Disparity Exists at the Departments of Health and Human Services and Education

Achieving a representative government requires that the senior leadership in the Federal workforce reflect the nation's diversity. As President Biden's 2021 Executive Order (EO) 13985 on Advancing Racial Equity and Support for Underserved Communities through the Federal government makes evident, embedding fairness in the decision-making processes of the Federal departments and agencies is critical to redressing inequities for marginalized communities.

The Latino Community has historically been underserved and adversely affected by persistent poverty and economic inequality. Health and education are two critical areas affecting the well-being and economic advancement of Latinos. Yet the Department of Health and Human Services (HHS) and Department of Education (ED) are historically among the worst performing agencies in Latino hiring and representation.

President Biden appointed prominent Latino Cabinet Secretaries to these agencies in 2021: Xavier Becerra, Secretary of Health and Human Services, and Miguel Cardona, Secretary of the Department of Education. Both have the opportunity to make important policy decisions for all Americans, including Latinos.

However, the underrepresentation of Latinos in these agencies is long-standing and goes back decades. ALLP recognizes that these recent Latino Cabinet appointments cannot cure decades of Latino inequities. Moreover, political appointees have limited authority in the selection of career staff. Congress adopted the Merit System Protection Principles to protect career staff from improper political pressure or favoritism in hiring Federal career staff.

### The U.S. Department of Health and Human Services (HHS)

The Department of Health and Human Services (HHS) is the U.S. government's principal agency for protecting the health of all Americans and providing essential services, especially for those who are least able to care for themselves. But there is ample evidence to suggest that HHS policies have failed to meet the critical needs of the Latino community.

A correlation exists between denying Latinos the opportunity to participate in decision making at the Federal government's highest levels and the community's exclusion from policy priorities.

The Covid pandemic exposed deep-rooted health inequities in Latino communities and magnified the lack of access to culturally competent health care resulting in devastating results for the Latino Community. According to the Centers for Disease Control (CDC), Latinos experienced among the highest infection and mortality rates due to a disproportionate rate of Covid infections.

HHS has consistently ranked lowest among the Federal agencies in Latino representation. In FY21, Latinos comprised only 3.4% of the entire HHS staff, a rate that has only increased by .01 of one percent since FY01. Worse yet, in 2021, there were 11 Latinos at the SES level, representing a decrease from 2016, when there were 14 Latinos at the SES level. There are 448 SES positions at HHS.

HHS Hispanic - Latino Representation 2016-2021 March										
Sept	HHS Staff	Civil Labor Force	Hispanic - Latino Staff Count	% Of HHS workforce	GS-15	GS-14	GS-13	ES-SL-ST	SES (E.S. pay plan) only	
2016	86,552	12.5	2,790	3.22%	206	371	764	13		12
2017	84,822	12.5	2,946	3.47%	219	418	830	14		12
2018	82,518	12.5	2,896	3.51%	229	424	823	16		14
2019	81,917	12.5	2,856	3.49%	226	424	814	16		14
2020	83,514	12.5	2,866	3.43%	235	430	843	13		11
2021	83,515	12.5	2,866	3.43%	235	430	843	13		11

**Table 8**  
Department of Health and Human Services Latino Representation (Mar. 2016-2021)

HHS is responsible for administering a wide range of health-related programs to address the American people's health needs. However, HHS has not made any progress in increasing Latino representations at any level, nor has it made progress implementing the programs that are responsive to the health needs of a growing Latino Community.

The Latino community has among the highest levels of chronic disease disparities and is less able to access health care. Latinas, for example, have the lowest rate of health insurance coverage compared to other demographic groups, despite the enactment of the Affordable Care Act.

### The U.S. Department of Education (ED)

The Department of Education's mission is to ensure that students receive an education that prepares them to succeed and compete on the global stage by fostering educational excellence and equal access.

Education is a critical issue for the Latino Community. Higher levels of educational achievement have historically represented economic mobility and prosperity. Latinos have worked hard to increase educational attainment levels, reducing the high-school attrition rate by half in the last two decades and doubling the rate of bachelor's degrees attained, and not always with the full participation of the Federal government.

Despite notable educational advancements, 28% of Latino youth are still not graduating from high school, and Latino post-secondary educational attainment lags behind other demographic groups. The implications extend far beyond the individual and the Latino community and will impact our Nation's workforce and ability to compete in the global economy. Latinos are the youngest and fastest-growing demographic group projected to comprise 21% of the Nation's labor force by 2030. The United States cannot meet the needs of the US economy and compete globally without providing educational opportunities to prepare this significant segment of its workforce.

In FY2018, Latinos made up 6.4% of ED employees, a rate significantly below the Latino CLF of 17.5% during the same fiscal year. Latinos must have full opportunity to equitably participate in the ED development of policies that are responsive to the needs of Latino children. The increased prominence of the Latino Community, particularly in the labor market, demands the development of policies and programs that will prepare young Latinos for the economy of the future.

Latino children make up the largest racial or ethnic group of the public school population in New Mexico (62%), California (55%), Texas (52%), Arizona (47%), and Nevada (44%) (Schaeffer, 2021). The nation's economy and its place on the global stage depend on Latino children receiving a quality education that will prepare them to succeed. Hence, there is an urgent need for Federal involvement in

education policies and programs that meet the unique needs of the Latino student population, and a Latino Federal workforce must be part of formulating education policies for Latino student success.

### Major Agency Latino Workforce Rates

As table 9 illustrates, only one major agency – the Department of Homeland Security (DHS) – has a Latino workforce that exceeds the 19% Latino Civilian Labor Force (CLF) rate. And the majority of those employees are in frontline jobs such as the Transportation Security Administration (TSA) and Customs & Border Patrol (CBP). All other major agencies are significantly below the CLF rate.

Table 9: Latino Representation in Permanent Federal Workforce by Executive Department (Sept. 2017-Sept. 2018)

Department	September 2017		September 2018		Percent Trend
	Count	Percent	Count	Percent	
DEPARTMENT OF HOMELAND SECURITY	40,670	22.3	42,233	22.6	▲
DEPARTMENT OF THE TREASURY	9,301	10.7	9,719	11.1	▲
DEPARTMENT OF LABOR	1,448	9.8	1,406	10.0	▲
DEPARTMENT OF JUSTICE	10,503	9.3	10,444	9.5	▲
DEPARTMENT OF THE ARMY	18,625	8.1	19,083	8.3	▲
DEPARTMENT OF AGRICULTURE	6,131	7.9	6,081	8.1	▲
DEPARTMENT OF TRANSPORTATION	4,279	7.9	4,320	8.1	▲
DEPARTMENT OF THE AIR FORCE	12,416	7.8	12,680	8.0	▲
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	605	7.8	570	7.8	■
DEPARTMENT OF DEFENSE	6,987	6.9	7,329	7.2	▲
DEPARTMENT OF ENERGY	989	6.9	995	7.1	▲
DEPARTMENT OF VETERANS AFFAIRS	24,778	6.8	25,773	6.9	▲
DEPARTMENT OF STATE	668	6.5	652	6.6	▲
DEPARTMENT OF THE INTERIOR	3,421	6.3	3,436	6.4	▲
DEPARTMENT OF EDUCATION	237	6.1	229	6.4	▲
DEPARTMENT OF THE NAVY	11,795	5.8	12,816	6.1	▲
DEPARTMENT OF COMMERCE	2,079	4.8	2,025	4.9	▲
DEPARTMENT OF HEALTH AND HUMAN SERVICES	2,410	3.6	2,390	3.6	■
<b>GOVERNMENTWIDE</b>	<b>173,234</b>	<b>8.9</b>	<b>178,215</b>	<b>9.1</b>	<b>▲</b>

OPM Hispanic Employment Report: Fiscal Year 2018



## Major Contributors to Latino Underrepresentation in the Federal Workforce

Federal agencies that assessed barriers to Latino representation consistently identified leadership commitment and management accountability as necessary components to improve the rate of Latinos in the Federal workforce.

In 1997, following a request from the Chair of the Congressional Hispanic Caucus (CHC) for statistical information on Hispanic employment, the GAO surveyed selected Federal units and private sector companies (GAO, Hispanic Employment Statistics, 1996). The GAO reported that management commitment and accountability were best practices for improving workplace diversity. The GAO also found that environments where pronouncements and actions reinforced the senior-level management's commitment to diversity and where senior-level management held mid-level managers accountable for meeting and maintaining diversity goals.

In 1996 the Merit Systems Protection Board (MSPB), in assessing barriers to Hispanic representation, found, among other factors, that Federal commitment to full Hispanic employment was hampered by supervisors' and managers' attitudes and perceptions about their roles in Hispanic underrepresentation (U.S. Merit Systems Protection Board, 2021).

A sample survey of Federal managers and supervisors on their knowledge of and attitudes toward diversity and Hispanic employment revealed that only 35% of White respondents thought the selecting officer should be held accountable for achieving a Federal workforce as diverse as the CLF. Most White managers and supervisors did not believe Hispanics were underrepresented in their units.

In 2008, more than a decade after the MSPB's Report and without any progress on Latino Federal sector employment, the EEOC, in partnership with the Social Security Administration (SSA), formed the Federal Hispanic Working Group. The group assessed Latino Federal sector employment and issued a comprehensive set of recommendations. The group examined concerns about Latino hiring, leadership development, and retention and formulated recommendations to address the significant underrepresentation of Latinos.

The group concluded that progress on Hispanic Federal representation required management accountability to be increased and emphasized. Title VII of the Civil Rights Act requires agencies to have an Equal Employment Opportunity (EEO) program. They further concluded that agencies should strategically integrate goals and objectives into a Department's mission. Additionally, managers and supervisors should be required to make measurable, sustained progress in achieving those goals.

President Biden's Executive Order (EO) 14035 on Diversity, Equity, and Accessibility (DEIA) tasked specific Federal departments and agencies with issuing a government-wide DEIA plan to strengthen an

existing EO issued by President Obama in 2011 (Exec. Order No. 13583, 2011). The government-wide DEIA's operating principles include "Prioritize Accountability and Sustainability" (White House Strategic Plan, 2021, p. 8).

The EO 14035 (2021) directs the head of each Agency to prioritize DEIA, embed it, and integrate it into the decision-making, the core mission, and the agency's goals. The EO describes how "leaders should encourage the adoption of DEIA practices and measure the performance of executives consistent with merit system principles and executive core competencies to hold the agency accountable to its DEIA goals and vision" (White House Strategic Plan, 2021, p.8).

There is a clear recognition that leadership commitment and management accountability are vital components of a Federal Agency's diversity hiring plans to increase Latino Federal sector representation. Even though fairness and equity in hiring are part of the merit system principles, the rigidity, and inflexibility of merit-based hiring, while intended to protect career staff from improper political pressure or favoritism, also insulate leadership and management from accountability.

### Lack of Awareness and Knowledge About the Latino Community

Despite the limitations placed by the merit-based principles on management accountability, all other racial and ethnic minority groups have reached full representation in the Federal workforce except Latinos. This fact raises questions about the knowledge and understanding of Latinos in the United States among Federal sector managers and supervisors.

Historically, Latinos have been among the minority groups systemically denied full opportunity to participate in economic, social, and civic life. Exclusion and discrimination have slowed Latino social integration and economic mobility. The media, one of the most powerful institutions in the country, plays a vital role in educating the public. Yet, according to the 2021 GAO report, Latinos are underrepresented across all occupations of the media industry.

The lack of Latino representation in the media industry contributes to a lack of knowledge and understanding of Latinos in the U.S. Citizenship requirements in civil service have been considered a barrier to Latino underrepresentation in the Federal workforce. In 1996, as the MSPB found in its Report, 35% of Hispanics in the labor force were not citizens, effectively barring Federal employment because the pool of applicants from which the government could hire was smaller (US Merit Systems Protection Board, 2021).

Today, the citizenship requirement is less of an impediment for Federal hiring, if at all. That is because 80% of Latinos are U.S. citizens, and 94% of Latinos age 18 or younger were born in the United States (Krogstad

& Noe-Bustamante, 2021). Moreover, in 2021, the rate of Latino foreign-born workers was roughly 8.5%, according to U.S. Bureau of Labor Statistics.

What remains prevalent is a lack of understanding and knowledge about the Latino community. These perceptions are often reinforced by the media highlighting stories that suggest and can lead to the erroneous conclusion by the American public that the majority of Latinos are non-citizen immigrants, which in turn erroneously informs the recruitment and hiring of Latinos.

Levels of educational attainment are also often identified as a barrier to Federal employment. Latinos have made significant advancements in educational attainment. The percentage of Latinos with bachelor's degrees or higher nearly doubled in the last two decades. Yet, the rate of Latinos in the Federal workforce increased marginally during the same time.

The MSPB found in its 1996 report that issues of citizenship could not solely explain the underrepresentation of Latinos and educational attainment barriers and that "discrimination has undeniably played a role in the history of Hispanic employment issues, and there is no evidence to suggest that it has somehow been totally eliminated from the Federal workplace" (U.S. Merit Systems Protection Board, 1996, p. 7).

## Recommendations

ALLP believes that the current federal government strategy to increase Latino representation in the federal workforce has proven ineffective. The seriousness of the issue and its detrimental impact on the Latino community requires a comprehensive analysis of existing EEO barriers, the development of new hiring and retention approaches, and agency accountability measures.

### Oversight

Congress should hold hearings and elicit information about the continued underrepresentation of Latinos in Federal employment. We urge Congress to address Latino underrepresentation in the Federal workforce. We expressly request that Congress seek testimony from:

- OPM leadership, Chief Human Capital Officers, Cabinet Secretaries, and Program Directors responsible for implementing Latino hiring and retention programs pursuant to Executive Order 13171.
- Government agencies with the Administration of workforce diversity programs, including OPM, MSPB and EEOC.

- Government agencies with oversight authority, GAO, OMB, and MSPB, Human Capital, DEIA and EEO Officers from HHS and DOE, and OPM should explain the barriers to increasing Latino hiring in those departments, specifically concerning SES hires.
- Federal departments with the most egregious underrepresentation, including HHS and ED, must identify the barriers to increasing Latino hiring in those Departments, including SES and GS14-15 pay scale hires.
- Organizations and community advocacy groups to inform Congress of Federal underrepresentation's impact on the Latino community.

We further urge Congress to pass legislation such as the SES Diversity Assurance Act, which was last introduced in 2009-2010. The SES Diversity Assurance Act "revises the career appointments recruiting process and requires agency heads to ensure diversity of executive resources boards and any subgroup or other evaluation panel related to the merit staffing process for career appointees by including members of racial and ethnic minority groups, women, and individuals with disabilities."

### Recruitment, Hiring, Training, and Retention

History has shown that general diversity initiatives to increase minority representation in the Federal workforce have failed to improve the rate of Latino government employees. We urge President Biden to strengthen the provisions of the EO 13171 issued by President Clinton in FY2000, with recruitment requirements specific to increasing Latino representation in the Federal workforce (Exec. Order No. 13171, 2000).

We also recommend that the President reissue EO 13171 (2000) as part of the Administration's overall DEIA initiative to demonstrate the seriousness of the Latino underrepresentation (Exec. Order No. 13171, 2000).

We strongly recommend that according to EO 13171 (2000), OPM's annual statistical reports on Hispanic employment include statistical applicant flow data on the racial and ethnic composition of applicants to Federal government positions (Exec. Order No. 13171, 2000).

Increasing diversity requires leadership accountability for success. To strengthen the provisions of EO 13171 (2000), OPM should be directed to submit plans with goals and a timeline for reaching full Latino employment (Exec. Order No. 13171, 2000). In addition, OPM should take deliberate action to increase Latino hiring and develop retention plans.

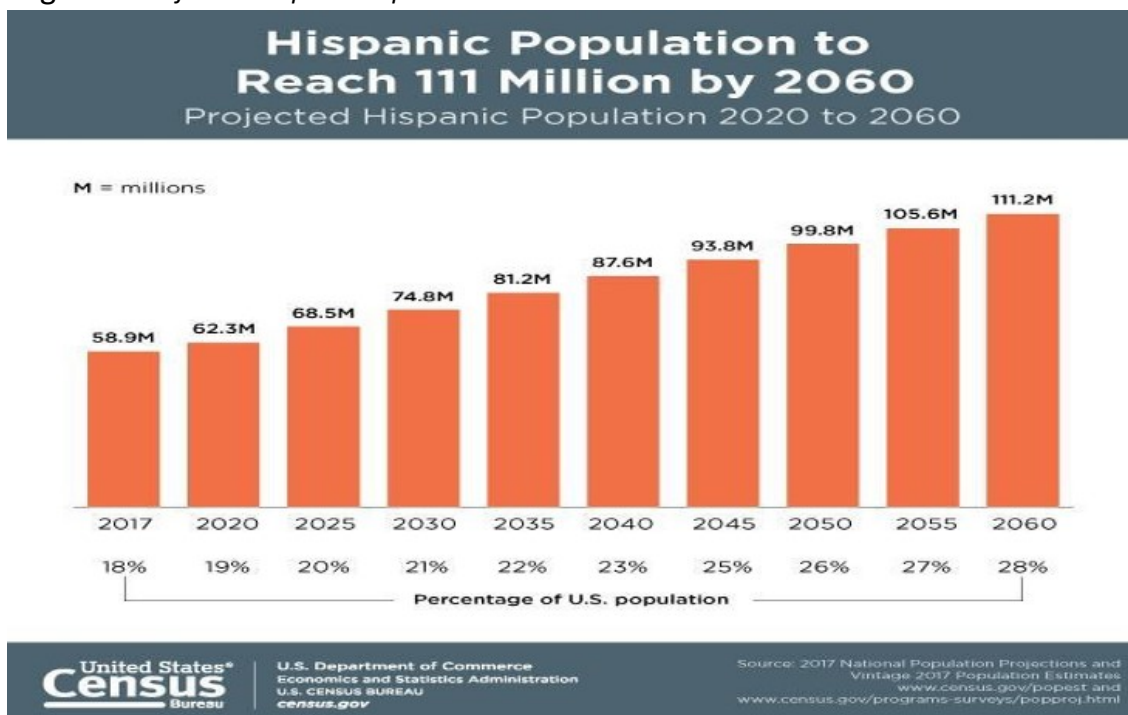
## Latinos in the U.S.

The United States has undergone significant demographic shifts during the last five decades. The Latino population, for example, has more than quadrupled since 1980, growing from 14.6 million to 62.1 million, according to the 2020 census. Latinos also accounted for more than 50% of the U.S. population growth during the last decade (Jones, Marks, Ramirez, & Rios-Vargas, 2021).

Moreover, 80% of Latinos are U.S. Citizens, and 94% of Latinos ages 18 or younger were born in the United States (Krogstad & Noe-Bustamante, 2021). During the last two decades, Latinos have made significant advances in levels of educational attainment. The percentage of Latinos with bachelor's degrees or higher nearly doubled in the previous two decades.

According to the 2020 census, Latinos currently comprise 62.1 million, or 19% of the U.S. population, representing the most significant ethnic or racial minority (US Census Bureau, Decennial Census, 2020).[34] In states like California[35] and Texas,[36] Latino students currently comprise 55% and 53% of those states' public school systems.

Figure 1 *Projected Hispanic Population 2020 to 2060.*



Latinos represent the youngest racial and ethnic group in the country. They have a median age of 29.8 years, and 32% percent are under 18. The relative youth of the Latino population has significant implications for the labor sector and the national economy. Because of their relative youth, Latinos are poised to replenish the labor force as the general population continues to age and exit the labor force. According to the US Department of Labor, Latinos are projected to account for 78% of the net new workers between 2020-2030.

Although the Latino share of the overall CLF is 19%, Latinos comprise 25% of the CLF in six states. According to the Census Bureau, Latinos had the largest share of CLF in New Mexico, California, Texas, Arizona, and Nevada. Other states with a significant Latino percentage of the CLF include Colorado, New York, New Jersey, and Illinois (Dubina, 2021). According to the US Department of Labor, Latinos are projected to account for 78% of the net new workers between 2020-2030 (Dubina, 2021). And, because Latinos are relatively younger than the general population, they are positioned to replenish an aging American workforce.

Figure 2



The magnitude of our Nation's demographic shifts continues to challenge our public and private institutions because they must represent and serve a significantly more diverse society than ever before. The Federal government, for example, has been slow to grasp the complexity of the Latino population and its responsibility to equitably integrate Latino representation in its public policy processes through a more representative workforce.

Representation in public policy matters. History has taught us that there is a direct correlation between the underrepresentation of Latinos in the policy decision-making processes of the Federal government and the exclusion of the Latino community from policy priorities. The Covid pandemic exposed deep-rooted economic and health inequities that exacerbated infection and mortality rates in the Latino community.

The Covid health crisis also highlighted the importance of the Latino community to the nation's economy. According to a report by U.S. Representative Beyer (2021), the United States Joint Economic Committee Chair, Latino workers kept the economy moving during the health pandemic and are poised to propel the nation's economic growth.

Our Nation's economic success is inextricably linked to the economic success of the Latino community. In 2020, the Latino contribution to the U.S. economy was \$2.8 trillion, surpassing the GDP of India and the United Kingdom, Brazil and Russia. If Latinos were their separate nation, they would command the fifth-largest economy in the world (Hamilton, Fienup, Hayes-Bautista, & Hsu, 2022).

## Law and Policy Overview

It is the policy of the United States to have a Federal government that reflects the diversity of the nation.

In 1978, Congress placed a recruitment requirement in the Civil Service Reform Act (CSRA) to meet the government's diversity objective. The CSRA requires the Office of Personnel Management (OPM) to oversee the minority recruitment efforts designed by Federal departments and agencies to eliminate minority underrepresentation. It further deems underrepresentation to exist when there is a lower percentage of a minority group in an employment category than the percentage of the group's overall Civilian Labor Force (CLF) participation.

In 1969, well before the passage of the CSRA (1978), then President Richard M. Nixon created the Cabinet Committee on Opportunity for the Spanish Speaking, followed in 1970 by the "Sixteen Point Hispanic Employment Program" to address the underrepresentation of Latinos in Federal employment (Exec. Order No. 11478, 1969). Representation at the time was measured using the Hispanic population rate as the benchmark and comparing it to the rate of Federal employment. Latinos made up 2.8% of the Federal government workforce in 1969, or roughly half the Hispanic population (Brown, 2014).

In 1971, Congress held public hearings on proposed amendments to Title VII of the Civil Rights Act and found widespread employment discrimination persisted in both the public and private sectors. Based on these findings, Congress enacted the Equal Employment Opportunity Act of 1972. Among other things, this expanded Title VII coverage to include the Federal government. Latinos were referred to as Spanish surnamed and comprised 2.9% of the Federal workforce (Exec. Order No. 11478, 1969).

In October 2000, President Clinton issued Executive Order (EO) 13171, which affirmed the need to improve Hispanic representation in the Federal government. EO 13171 (2000) directed Federal Agencies to increase Hispanic representation in the Federal workforce and to assess and eliminate any systemic barriers to Hispanic recruitment and retention in Federal employment.



## Conclusion

The Federal government has failed to achieve even a semblance of equitable Latino representation in the Federal workforce. Decades after Congress placed a recruitment requirement in the 1978 Civil Service Reform Act (CSRA) to meet the government's diversity objective, Latinos have had a net zero gain in Federal employment. The implications of this fact are severe and have harmful effects on Latinos and our Nation.

The disparity in Latino Federal employment is a crisis that requires immediate attention. Today Latinos represent almost 20% of the U.S.'s population, and 18% of the civilian labor force (CLF), and are significant contributors to the Nation's economy. The Federal government can no longer ignore its failure to increase Latinos in the Federal workforce.

Decades of programs, Executive Orders, and recommendations by the EEOC, the MSPB, or the GAO have all failed to make a dent in the rate of Latinos in the Federal workforce. The rate of underrepresentation will continue to increase, particularly as the Latino share of the CLF continues to grow. The severity of the Latino underrepresentation in the SES, and its implications for the Latino community's ability to participate in formulating policy priorities, cannot be overstated and requires immediate congressional attention.

A team of Latino leaders created the Alliance of Latino Leadership Policy and Politics (ALLP) out of deep concern over the lack of opportunities and exclusion of Latinos in the public policy processes of the public sector. We believe that input from the Latino community is necessary to help address this long-standing issue. ALLP is committed to working with Congress and the Administration to develop new approaches to bring new generations of Latinos ready to serve and help solve the nation's most pressing problems, particularly those affecting the Latino community.

## References

Bauman, K. (2017, August 28). School enrollment of the Hispanic population: Two decades of growth. US Census Bureau.

Beyer, D. (2021, September 15). Hispanic workers kept the US economy moving during the coronavirus pandemic but face lower wages and poor working conditions. Joint Economic Committee Democrats.

Brown, A. (2014, February 26). The US Hispanic population has increased sixfold since 1970. Pew Research Center.

California Department of Education, Data Reporting Office (2022). Fingertips Facts on Education in California: Report of various statistics about California's public schools and districts for the 2020-2021 school year.

Centers for Disease Control and Prevention, National Center for Immunization and Respiratory Diseases (US), Division of Viral Diseases (2022, February 1). Risk for covid-19 infection, hospitalization, and death by race/ethnicity.

Civil Service Reform Act (1978), 5 USC 7201: Anti-discrimination policy – minority recruitment program.

Dubina, K. (2021, September 15). US Department of Labor Blog. Hispanics in the labor force: 5 facts.

Exec. Order No. 11478. (1969). Hispanic employment program, Fed. Reg. (November 5, 1970).

Exec. Order No. 11478. (1969). Hispanic employment program: Historical background, Fed. Reg. (November 5, 1970). FPM Letter 713-18, Appendix 1, January 23, 1973).

Exec. Order No. 13171. (2000). Hispanic employment in the federal government, Fed. Reg. (October 12, 2000).

Exec. Order No. 13583. (2011). Establishing a coordinated government-wide initiative to promote diversity and inclusion in the federal workforce, Fed. Reg. (August 18, 2011).

Exec. Order No. 13985. (2021). Executive order on advancing racial equity and support for underserved communities through the federal government, Fed. Reg. (January 20, 2021).

Exec. Order No. 14035. (2021). Executive order on diversity, equity, inclusion, and accessibility in the federal workforce, Fed. Reg. (June 25, 2021).

Hamilton, D., Fienup, M., Hayes-Bautista, D., Hsu, P. (2022). LDC U.S. Latino G.D.P. Report: Quantifying the New Mainstream Economy. Latino Donor Collaborative.

Jones, N., Marks, R., Ramirez, R., Rios-Vargas, M. (2021, August 12). The 2020 census illuminates the racial and ethnic composition of the country. United States Census Bureau.

Krogstad, J.M., & Noe-Bustamante, L. (2021, September 9). Key facts about US Latinos for national Hispanic heritage month. Pew Research Center.

National Center for Education Statistics (2019). Table 104.10, Rates of high school completion and bachelor's degree attainment among persons age 25 and over, by race/ethnicity and sex: Selected years, 1910 through 2019.

National Partnership for Women and Families (2019, April). Fact sheet: Latinas experience pervasive disparities in access to health insurance.

National Hispanic Leadership Agenda (2016). Latino Leadership Report to Congress.

Schaeffer, K. (2021, December 15). US public school students often go to schools where at least half of their peers are of the same race or ethnicity. Pew Research Center.

Senior Executive Diversity Assurance Act, HR, 110th Cong. (2008).

Texas Education Agency. (2021). Enrollment in Texas public schools, 2020-21. (Document No. GE21 601 08). Austin TX: Author.

The White House (2021, November). Government-wide strategic plan to advance diversity, equity, inclusion, and accessibility in the federal workforce.

US Bureau of Labor Statistics (2016). Hispanics will make up nearly 20 percent of the labor force in 2024. TED: The Economics Daily.

US Bureau of Labor Statistics (2020). Hispanics or Latinos made up over one-fourth of the labor force in six states in 2020. TED: The Economics Daily.

US Bureau of Labor Statistics (2020, May). Learn more, earn more: Education leads to higher wages, and lower employment. Data on display.

US Bureau of Labor Statistics (2022, May 18). Foreign-born workers: Labor force characteristics-2021. News release.

U.S. Census Bureau (2020). Hispanic or Latino (of any race) in the United States. 2020 Decennial Census.

US Equal Employment Opportunity Commission, Management Directive (MD) (n.d.). Instructions to federal agencies for MD-715 section one of the model EEO program.

US Equal Employment Opportunity Commission, Federal Hispanic Work Group (2008). Report on the Hispanic employment challenge in the federal government.

US Equal Employment Opportunity Commission, Office of Federal Operations (2019). Annual Report on the federal workforce: Fiscal year 2019.

US General Accounting Office (1980, May 13). Civil Service Reform Act (1978).

US Government Accountability Office, General Government Division (1996). Hispanic Employment Statistics. GAO/GGD-96-85R.

US Government Accountability Office, General Government Division (1997). Hispanic Employment: The Best Practices Used by Selected Agencies and Companies. GAO/GGD-97-46R.

US Government Accountability Office, Reports & Testimonies (2021). Workforce diversity: Analysis of federal data shows Hispanics are underrepresented in the media industry. GAO-21-105322.

US Merit Systems Protection Board (2021). Title 5-Government Organization and Employees: Merit System Principles, 5 USC § 2301 Merit System Principles (5 USC § 2301).

US Merit Systems Protection Board, Office of Policy and Evaluation (1996). Achieving a representative federal workforce: Addressing the barriers to Hispanic participation.

US Merit Systems Protection Board, Office of Policy and Evaluation (2021). Achieving a representative federal workforce: Addressing the barriers to Hispanic participation.

US Office of Personnel Management (2001, September). Federal equal opportunity recruitment program (FEORP) report: Fiscal year 2001. Retrieved from <https://www.opm.gov/policy-data-oversight/diversity-andinclusion/reports/feorp2001.pdf>

U.S. Office of Personnel Management (2016, February). Federal equal opportunity recruitment program (FEORP) report: Fiscal year 2014.

US Office of Personnel Management (2020, December). Federal equal opportunity recruitment program (FEORP) report: Fiscal year 2018.

US Office of Personnel Management (2021, December). Federal workforce data. FedScope.

