

NFFE News



NFFE Wins Executive Order to Support Diversity, Inclusion, Equity, and Accessibility for Feds

July 7, 2021

On June 25th, the White House announced that President Biden had signed a new Executive Order (EO) to advance diversity, equity, inclusion, and accessibility (DEIA) in the Federal workforce.

President Biden's issuing of this Executive Order is a significant win, as NFFE has been advocating for the development of a program that implements heightened and real consequences for federal supervisors and managers who discriminate and retaliate against employees based on race, religion, gender, age, sexual orientation, disabilities, and other protected categories. The EO calls for an ambitious, government-wide initiative that will take a systematic approach to embed DEIA in Federal hiring and employment practices. This includes distinct action items to be put in place by November across the Federal workforce, as well as developing agency specific plans.



These plans are intended to create a workplace culture that does not tolerate harassment, discrimination, or retaliation, and to establish a framework that will address these issues. The EO affirms the rights of LGBTQ+ federal employees and encourages open expression of gender identities and sexual orientation without fear of discrimination. With the passing of this EO, the Federal government aims to be a model employer for individuals with disabilities and strives to create a more inclusive workplace environment by increased hiring through Schedule A, in addition to robust accommodations programs. Further, offices spaces will be updated to make workplaces more accessible for those with disabilities, and more inclusive with the addition of non-binary facilities and restrooms. Agency-specific DEIA plans have the potential to expand opportunities for increased fairness in the following areas:

- Promotions
- Leadership development training
- Flexible schedules (part-time/full-time status)
- Reasonable accommodations processes
- Pay & compensation, including awards

The EO also establishes significant changes, which are non-negotiable:

- Pronoun options on forms & credentials
- Easier processes for updating names & gender identifiers
- Expanded healthcare coverage for gender affirming care
- Benefits and programs will recognize diverse family structures
- Pay equity reviews (reclassifying or otherwise rectifying disparities based on race, gender, etc.)
- Prohibition against considering salary history when hiring
- Formerly incarcerated individuals granted equal opportunities for federal jobs

To our local leadership around the country, NFFE recommends the following:

1. Determine who at your agency is involved in implementing the above DEIA items to seek collaborative engagement. Request to bargain where appropriate.
2. Use proper judgment and your partnerships in asserting the union rights you are legally entitled to. (NFFE has concerns because the EO does not include any specific mention of union involvement, consultation recommendations, or bargaining obligations.)
3. Ask to be notified of surveys, other assessments, and to be given the opportunity to provide input before DEIA items are implemented. Surveys will be conducted from July through September and should identify if the employees being surveyed are in the bargaining unit.
4. Request copies of the data used to draft your agency's DEIA plan, including survey results.

www.NFFE.org