



SUBJECT: Fiscal Year 2023 End-of-Year Report

FROM: LGBTQIA+ Workgroup Co-chairs

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

THRU:

Ex. 6 Personal Privacy (PP)

TO: Diversity, Equity, Inclusion, and Accessibility (DEIA) Executive Committee

INTRODUCTION and BACKGROUND:

Fiscal Year 2023 was a pivotal year for the LGBTQIA+ Workgroup. We looked at the workgroup objectives we had devised in FY22, which drew on our lived experiences, priorities the LGBTQ+ SEP Advisory Council had identified in a recent retreat, and a listening session hosted by Equality EPA, and started building partnerships around the Agency to make things happen. Our priority recommendations:

- De-gender restroom/locker room access
- Understand our community’s numbers: Increase participation in voluntarily self-disclosure of sexual orientation and gender identity (SOGI); address employee privacy concerns
- Incorporate LGBTQIA+ prospective employees into hiring and recruiting activities; partner with LGBTQIA+ Professional Organizations
- Add gender pronouns in MS 365 (Outlook & Teams applications)
- Change style manual requirement for gendered honorifics in Agency Correspondence

Guiding our work were our goals, objectives, and values:

Goal: Advance equity for LGBTQIA+ employees by creating a more inclusive workplace.

Advancing DEIA requires that the federal workforce address the needs of many communities who may be underserved in the federal workforce, including individuals who belong to communities that face discrimination based on sex, sexual orientation, gender expression, and gender identity, including lesbian, gay, bisexual, transgender, queer, gender non-conforming, non-binary individuals.

Objective: In coordination with other DEIA Workgroups, ensure inclusion of LGBTQIA+ employees in recruitment efforts, career development and training, data collection, analysis, and measurement, DEIA employee engagement, sustainability, accountability, and accessibility.

Values: Listening; commitment to truth; radical inclusivity and representation; prioritizing the needs of the most vulnerable employees; mindfulness of emotional labor and burnout; mutual support; and continuously checking in on our Courageous Space Agreement.

SYNOPSIS:

In FY23, every single member of our workgroup had a key role in the following accomplishments:

Formative Steps Toward Increased Access to Gender Neutral Bathrooms

Key Partners: Facilities Management and Services Division, Region 1 and Region 3, Office of Civil Rights

In FY22, our Co-chair and **Ex. 6 Personal Privacy (PP)** asked the Office of Facilities Management to conduct a survey of gender-neutral bathrooms in EPA buildings, nationwide – and they DID. We now have a baseline for identifying which EPA facilities have the highest need. Special Emphasis Program Managers in Regional offices have worked with the General Services Administration to provide all-gender bathrooms in their buildings:

Ex. 6 Personal Privacy (PP) worked with the General Service Administration to designate single occupancy all-gender bathroom in a *GSA-owned facility* (Region 1) that is used by six federal agencies that occupy the space.

Ex. 6 Personal Privacy (PP) saw an opportunity when the Regional Office moved to a new building to work with Facilities to make sure they have all-gender bathrooms and locker rooms. This *GSA-leased facility* now has two all-gender bathrooms (on the 4th and 20th floors) and two all-gender locker rooms (1st floor),

Additionally, **Ex. 6 Personal Privacy (PP)** Regional Cochair, have elevated concerns about lack of gender-neutral temporary restroom facilities at field sites. **Ex. 6 Personal Privacy (PP)** has met with senior managers in OARM and OAS to discuss this issue. OAS is exploring remedies through contract requirements and has scheduled a meeting with workgroup members in early FY24 Q1.

The above actions have identified the scope of the issue and provided guidelines and a path forward, but most of the work remains to be done.

Increase in Voluntary Self-Identification of Sexual Orientation and Gender Identity (SOGI) Data

Key Partners: OCFO Office of Continuous Improvement; Office of Human Resources, Policy, Planning and Training Division; Office of Civil Rights

Prior to 2022, the EPA diversity dashboard did not contain any information on the LGBTQ+ demographic at EPA, and thus resources were not allocated for this EEO demographic, and special emphasis managers were unable to make a data-driven business case for DEIA work at the agency as it related to this group. **Ex. 6 Personal Privacy (PP)**, in his role of **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP), around the above problem statement, and brainstormed solutions that respected privacy regulations and current agency protocol.

After a brainstorming problem-solving session and creating a list of countermeasures, **Ex. 6 Personal Privacy (PP)** created a [HYPERLINK **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP) that showed the agency, for the first time, LGBTQ+ numbers from the federal employee viewpoint survey and from the EPA database called “Employee Express” since the Department of Labor does not provide the agency LGBTQ+ numbers because of Census Bureau limitations. The LGBTQ+ data was previously available but unknown to EPA staff or managers because no one analyzed the numbers. Because a business case with a visual tool could now be made to management with numbers of agency staff who self-identify as LGBTQ+, Office of Civil Rights leadership sent out mass mailers encouraging self-reporting.

Additionally, in January, there was a Kaleidoscope session on voluntary self-identification of demographic data in Employee Express. While the session was part of the Kaleidoscope Disability Forum, speakers were prepared to address the concern that employees may hesitate to disclose both disability and SOGI status because of stigma and well-founded fears of discrimination. (Ex. 6 Personal Privacy (PP))

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Ex. 6 Personal Privacy (PP) emphasized that SOGI and disability, like all demographic data, is covered by the Privacy Act and used only in the aggregate; not connected to individual employees; and not accessible to political appointees. The (Ex. 6 Personal Privacy (PP)) and then- coordinator (Ex. 6 Personal Privacy (PP)) provided feedback to the Disability Forum organizers to prepare them for these questions.

These actions resulted in a measurable increase of individuals reporting their SOGI information in Employee Express from a baseline of 7.7 to 10.7 percent of EPA staff. (Not to be confused with the percentage of employees identifying as SOGI minorities – these numbers represent the percentage of employees those who answered the questions, including those selecting “straight” and “cisgender” options).

“Hiring with Pride” Outreach Webinar, promoted to Organizations Serving LGBTQIA+ communities, March 24, 2023, Key Partner: OHR Shared Service Center

In a first step toward integration of LGBTQIA+ populations into minority outreach efforts, the Agency held its first hiring outreach webinar, “Hiring with Pride,” in the weeks leading up to Pride Month. Speakers included LGBTQIA+ identifying employees, including a new employee from Region 9 and a member of the Senior Executive Service from Region 3. The event drew approximately 400 attendees. The content was modeled on information provided at other minority outreach hiring events, including the various job categories available at the Agency; navigating USAJobs.gov; and building a strong federal resume. However, the question-and-answer session touched on topics unique to this group, including deciding whether to be out and open about their identities and pronouns during the interview process, and whether federal health benefits included transition-related medical care.

A challenge to holding this workshop was OHR’s belief that such a workshop would only be open to LGBTQIA+ individuals (Ex. 6 Personal Privacy (PP)) with then- (Ex. 6 Personal Privacy (PP)) were instrumental in making the case that this workshop would be promoted through organizations serving LGBTQIA+ people, that were also open to straight and cisgender people. The team found enthusiastic support in from Shared Service Center (Ex. 6 Personal Privacy (PP)) who planned and facilitated the workshop, provided an enticing outreach flyer, and prepared EPA employee speakers.

Baseline metric: Nearly 400 prospective employees were reached.

Next steps: Follow-up conversations with OHR’s Shared Service Center and Office of Policy, Planning and Training on how to measure the impact of this event on hiring of LGBTQIA+ employees, given absences of sexual orientation and gender identities in Applicant Flow Data.

Memorandum of Understanding with Out in Science, Technology, Engineering and Mathematics, June 1, 2023, Key Partners: OHR/DOESD and Office of the Chief Financial Officer

With over 100 student and professional chapters in cities across the United States, oSTEM focuses on LGBTQIA+ individuals in STEM fields. Through this MOU, the EPA and oSTEM intend to collaborate in various ways to foster the advancement of environmental education and to improve awareness of national employment opportunities. The federal government and the EPA have a continued vested interest in the equal employment opportunities for all individuals, including LGBTQIA+ individuals. For

example, in working with oSTEM, the EPA may provide information, training and assistance to the extent authorized by applicable laws and regulations to attract high-quality candidates for positions at the EPA. [Ex. 6 Personal Privacy (PP)] were instrumental in this effort.

Submission of the Agency's SOGI Data Action Plan to the White House Office of Science and Technology Policy

Key Partners: Office of Research and Development, Agency liaison to the White House OSTP

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Research Review Official and liaison to the White House Office of Science and Technology Policy (OSTP), to draft a SOGI Data Action Plan, as required under Executive Order 14075. This action plan identifies three learning questions and three focus areas (policy, staff, and process) to expand and improve the quality and utilization of SOGI data for EPA programmatic activities. The plan also outlines three metrics by which to measure progress over the next 12-24 months. Several groups reviewed the plan, including the Agency DEIA LGBTQIA+ workgroup, the LGBTQ+ Special Emphasis Program, Equality EPA, as well as OCR, OHR, OGC, and EPA's Chief Data Officer. This reviewed draft was submitted to OSTP on April 10, 2023. EPA is currently awaiting feedback, which will guide next steps.

Organized the LGBTQIA+ employee community's input on OPM's draft Guidance Regarding Gender Identity and Inclusion in the Federal Workplace, January and March, 2023.

Key Partner: Office of the Administrator, Office of Regulatory Policy and Management, Interagency Review Coordinator

Description: When the Office of Personnel Management distributed its draft "Guidance Regarding Gender Identity and Inclusion in the Federal Workplace" for Interagency Review, there was no process in place for soliciting comments from transgender, nonbinary, and gender-expansive employees. The

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reached out to the Interagency Review

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who worked with us to develop a process for gathering comments from Equality EPA's Trans and Non-Binary Community and the LGBTQIA+ Special Emphasis Advisory Council. The execution of the process was led by Andrew Reighart, workgroup member and Equality EPA HQ Co-Chair. The organizations submitted a unified set of comments from EPA's LGBTQIA+ community, and similarly provided joint comments on the passback of OPM's revised draft.

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including some important feedback from EPA. And the Office of Regulatory Policy and Management how has experience using a process that can and should be replicated anytime there is a regulatory action that specifically impacts employees from an underserved community.

Provided Community Recommendations Addressing Gendered Honorifics for update of EPA's Correspondence Manual

Key Partners: Office of the Executive Secretariat, Office of Public Affairs

Updating the Agency Style Manual has been a foundational recommendation of the workgroup, and when the Office of the Executive Secretariat, together with the Office of Public Affairs, began revising and updating the manual, [Ex. 6 Personal Privacy (PP)] together with co-

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were ready. The workgroup submitted extensive draft revisions to the Office of the Executive Secretariat, with the assistance of the Office of Public Affairs, seeking to update the manual in ways that recognize trans and non-binary individuals, same-sex marriage, and ultimately ensure more

respectful communication with internal and external stakeholders. This followed two meetings with the Office of the Executive Secretariat leadership and staff to reconcile questions and comments on these revisions. Ultimately, our recommended updates were included in the draft released for Agency review. We eagerly await the release and Agency use of this important document.

Self-service Pronoun Option in eBusiness (Microsoft 365 Outlook and Teams applications), January 27, 2023

Key Partner: Office of Environmental Information/Office of Information Technology Operations

The LGBTQIA+ Workgroup collaborated with Sam Ahad and the active Directory Team in OITO, providing critical feedback to ensure that their self-service pronoun option in eBusiness would meet the needs of EPA's gender-diverse employees. Both teams agreed on a process for adding pronouns that current EPA employees use now. Workgroup member Ex. 6 Personal Privacy (PP) polled the groups' 400+ membership and provided the OITO team with three more pronoun combinations in addition to those originally planned (he/him; she/her; they/them): he/they; she/they, and he/she/they, which were added to the list.

On January 27, a Mass Mailer announced the availability of the new self-service pronoun display. The Mass Mailer noted that the self-service option is part of EPA's Diversity, Equity, Inclusion, and Accessibility efforts, developed collaboratively by the Office of Mission Support (OMS) Equality EPA and the LGBTQ+ Special Emphasis Program Advisory Council; explained that using correct pronouns helps EPA create a respectful and inclusive community and linked to a Gender Pronouns intranet page; and provided a process for employees to ask for pronouns to be added if the pronouns they use are not on the list.

As of June 2023, nearly 3,000 users have added pronouns, up from 200-300 in June 2022. Out of 22,000 users (employees and contractors), approximately 14 percent have added their pronouns.

Statements from gender-diverse community members express appreciation, but also demonstrate that ***this is only one piece of the work we need to achieve full inclusion for trans, nonbinary, and gender-expansive employees.***

- “EPA is the first location I've put my true pronouns in my email signature, and felt empowered to when I saw someone else in my department that had done so. I have not done anything other than include my pronouns to display "outness" at work.”
- “I have decided to include my self-identified pronouns in my email signature. But 90% - 95% [of my colleagues] ignore my self-identified pronouns in favor of what they "think." So, they misgender typically.”
- “As a new person, I did want to share my gratitude to the folks at EPA who worked to make this an option. It's a game-changer for me and has made my transition to EPA meaningfully easier. I am FTM, and despite making efforts to present as masculine, I am still misgendered regularly in everyday life. Having the normalized option to include my pronouns as part of my agency presence has significantly reduced the amount of uncomfortable interactions I have to have with new people to correct assumptions or out myself. I was really worried, coming to a place where I knew no one, about the added pressure of having to manage pronoun issues with my new coworkers. It also signals to me that the agency is thinking about and acknowledging diverse genders, which is a novel concept when my experience in other places was often more like benevolent neglect. Anyway, I hope this isn't presumptuous, but I was just really thrilled to find out about this option and I know that it likely took a lot of work from dedicated queer folks and allies to make it happen, so I'm grateful.”

Sharing EPA's Work as a Model DEIA Program

Key Partners: OHR/DOESD and the

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Ex. 6 Personal Privacy (PP) organized funding from Program Offices and Regions around the Agency to sponsor LGBTQIA+ Professional Conferences for the first time. This year, the Agency will have delegations at the **Out and Equal Workplace Summit (September)** and **Out in Science, Technology, Engineering, and Mathematics (November)**

Members of the LGBTQIA+ workgroup submitted an abstract and were approved for a panel discussion at the Out and Equal Workplace Summit on September 12, 2023. **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP) will speak on the topic, "Creating Sustainable Change at EPA," highlighting the successes, challenges, and continued work needed to implement Executive Order 14035.

At the oSTEM Conference, in addition to a delegation attending the panel discussions and growing from being with LGBTQIA+ people in STEM from around the country, human resource experts will participate in the job fair and expo.

RECOMMENDATIONS:

The LGBTQIA+ Workgroup is proud and grateful to our partners throughout the Agency who have helped make these accomplishments possible. As we navigate change, anticipating the DEIA Executive Committee disbanding and combining with a legacy Diversity and Inclusion Advisory Council and establishment of the Office of Inclusive Excellence, and contemplate the Executive Committee's expectation that the workgroups "sunset," our workgroup has discussed our future. The urgency of our work is escalating, and efforts we have begun need deep commitment from the highest level of the Agency. We have made the following decisions:

- **The LGBTQIA+ Workgroup has decided not to sunset.** All of our workgroup members are committed to this work continuing, and we need a strong voice in both the new DEIA Council and the Office of Inclusive Evidence. We still have lots of long-term work to do to implement both Executive Orders! And we have found that inclusion of our community into Agency DEIA efforts simply does not happen, and not for lack of intention. Unfortunately, we have seen time and time again, that without our specific blend of focus, community knowledge, chutzpah and scrappy problem solving, DEIA work advances for other minority populations, without us.
- **Our continued and escalating priorities are to:**
 - **Keep working until no EPA employee has to spend energy thinking or worrying about where they will use the bathroom** during the work day, in the office or in the field, and that the onus is NOT on the individual to come out to their supervisor to make this happen. *Themes: Accessibility, privacy, dignity.*
 - **Keep asking for EPA leadership and Federal responses to hostile state legislation,** particularly for trans and nonbinary employees and family members; e.g., uncertain policy on emergency transfers, medical access, travel, legal support, and other remedies. We are gratified by the plan for a listening session later this month. *Themes: Safety of Employees and Family Members*
 - **Facilitate development of new and expanded training on Gender Diversity**
Key Partners: OHR/DOESD, OCR/AEAA, Equality EPA
 - Training document for Hiring Managers
 - Training module for all employees on FedTalent

- Continue Interactive Real-time Training for Program Offices and Regions
- **Updated Policy on Gender Neutral Facilities**, per [[HYPERLINK](#)]
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Strategy #5 committing to full accessibility of restrooms to all employees in the office and in the field.
Key Partners: OARM/Facilities, OAS/Contracts, OCR/AEAA and Superfund and other Field Programs
- **Explore connections between LGBTQIA+ inclusion and environmental justice**
Key Partner: Office of Environmental Justice and External Civil Rights

CLOSING STATEMENT and SALUTATION

It has been an honor to be a part of the LGBTQIA+ Workgroup and inspiring to observe the dedication of every single member of our workgroup and the partners we've collaborated with throughout the Agency. We are acutely aware of the urgency with which our work needs to continue, and we forward to partnering with the new DEIA Council and Office of Inclusive Excellence as our Agency infrastructure grows.