PERSONNEL APPEALS BOARD

Selection Into the Senior Executive Service at GAO (1992-1997)

Personnel
Appeals
Board

September 30, 1998

The Honorable James Hinchman
Acting Comptroller General
United States General Accounting Office
Room 7000
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Hinchman:

Pursuant to the authority granted to it under the General Accounting Office Personnel Act of 1980, the Personnel Appeals Board has statutory responsibility to oversee equal employment opportunity at GAO. In exercise of that authority, the Board is issuing the attached report on selection into the Senior Executive Service (SES) at GAO from 1992 through 1997.

The Board's report contains the results of its study of competitive SES selections at GAO for a five year period. The purpose of the study was to compare the representation of members of specific racial, ethnic, gender, age, or disability groups in the SES to the representation of those same groups in the pools of those eligible for SES selection and those who sought entry into the SES.

Sincerely,

Michael Wolf

Michael Wolf
Chair

attachment

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Background

The Senior Executive Service

The Civil Service Reform Act of 1978 established a Senior Executive Service (SES) in the Executive Branch of the Government. The Act envisioned a unified, elite corps of managers that would exercise "important policy-making, policy-determining, or other executive functions."[1]

The General Accounting Office (GAO) Senior Executive Service was created by the General Accounting Office Personnel Act of 1980 (GAOPA), the same Act that established the Personnel Appeals Board.[2] The purpose of the SES at GAO is to ensure that the executive management of the agency is staffed by a highly competent corps that "is responsive to the Nation's needs, policies, and goals and otherwise is of the highest quality."[3]

Jurisdiction and Topic Selection

The Board is conducting this study pursuant to the authority granted to it under the GAOPA, which directs the Board to oversee equal employment opportunity (EEO) at GAO through review and evaluation of GAO's procedures and practices.[4] In 1988 the Board established an Office of EEO Oversight in order to fulfill its statutory mandate.

Every 18-24 months, the Board selects topics for its Office of EEO Oversight. At the beginning of each program planning cycle for that office, the Director conducts independent research and solicits suggestions from the heads of the employee councils for studies that the Board may undertake. When polled in the Spring of 1997, more than half of the heads of GAO's employee organizations indicated that selection into the SES was a matter of great concern to their constituencies.

Methodology

The study includes both a review of the selection procedures used at GAO for entry into the SES and an analysis of the selection data for the period under review.

The objective of the data analysis is to evaluate the representation of members of specific racial, ethnic, gender, age or disability groups in the SES based on their representation: 1)in the pool of GAO employees eligible

[1] 5 U.S.C. §3132(a)(2).

[2] 31 U.S.C. §731 et seq.

[3] GAO Order 2920.1, Senior Executive Service, ch. 1 §6.

[4] 31 U.S.C. §732(f)(2)(A). See applicable regulations at 4 C.F.R. §§28.91 and 28.92.

for SES selection;[5] and 2) in the pool of GAO employees who sought entry into the SES ("applicants").

SES Profiles

This report studies the selection process for GAO's Senior Executive Service from October 1, 1992 through September 30, 1997. At the beginning of the period under review, there were 149 members of the SES at GAO. Within that corps, 133 were white (89.3%); 9 were black (6.0%); 3 were Asian (2.0%); and 4 were Hispanic (2.7%). Females comprised 21 of the SES members (14.8%) at that time. The age profile was as follows: 3 under age 40 (2.0%); 60 between ages 40-49 (40.3%); 72 between ages 50-59 (48.4%); and 14 age 60 or over (9.4%). One member (.7%) of the SES corps reported having a severe handicapping condition and 9 members (6.0%) of the SES corps reported having non-severe handicapping conditions.

As of April 23, 1998, there were 124 members of the SES at GAO. Of those, 106 were white (85.5%); 9 were black (7.3%); 5 were Asian (4.0%); and 4 were Hispanic (3.2%). In addition, 39 were female (31.5%); 2 had a severe disability (1.6%) and 6 had a non-severe disability (4.9%). The age profile of the current SES is: 6 under age 40 (4.8%); 46 between ages 40-49 (37.1%); 68 between ages 50-59 (54.8%); and 4 age 60 or over (3.2%).

The following table summarizes the composition of the SES at the beginning and end of the study period, by race/national origin, gender, and age.

Table I.1: SES Composition

Race/national origin	1992	1998
White	89.3%	85.5%
Black	6.0%	7.3%
Asian	2.0%	4.0%
Hispanic	2.7%	3.2%
Gender	**1992**	**1998**
Male	85.2%	68.5%
Female	14.8%	31.5%
Age group	**1992**	**1998**
Under 40	2.0%	4.8%
40-49	40.3%	37.1%
50-59	48.4%	54.8%
60 +	9.4%	3.2%

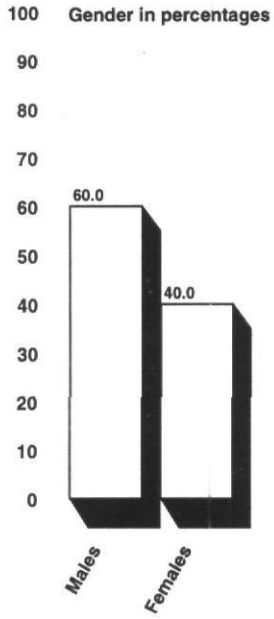
[5]The pool of SES eligibles at GAO includes GS-15s, Band III evaluators and evaluator-related employees, and Band II attorneys.

1992-1997 Appointments to SES

During the 5 year period under study, there were 75 appointments to the SES at GAO, 71 of which were made through the competitive process.[6] Of those 75 appointments, 45 were male (60%); 30 were female (40%); 64 were white (85.3%); 8 were black (10.6%); one was Hispanic (1.3%); and 2 were Asian (2.6%). Thirteen of the appointees were under the age of 40 (17.3%); 47 were between the ages of 40-49 (62.6%); 12 were between the ages of 50-59 (16%); and 3 were age 60 or over (4%).[7]

The following charts show the appointments to the SES between 1992 and 1997, by gender, race/national origin, and age.

Chart I.2: Appointments to the SES (1992-1997)



[6]Competitive selection was not required for four candidates, who had already achieved career SES status. Three of these candidates were members of the SES in the Executive Branch and one had previously been in the SES at GAO.

[7]During the period of the study, no GAO appointee identified a disability.

Chart I.3: Appointments to the SES
(1992-1997)

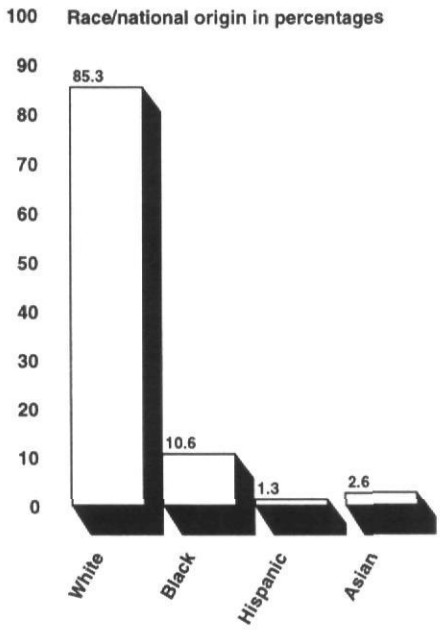
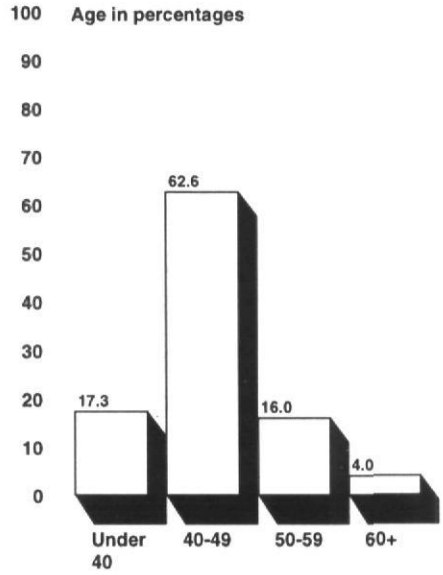


Chart I.4: Appointments to the SES
(1992-1997)



The Selection Process

Types of Appointment

Pursuant to GAO Order 2920.1, there are three types of appointment to the Senior Executive Service at GAO:[8] a) career appointment; b) Comptroller General (CG) career appointment; and c) non-competitive, limited term appointment.

The overwhelming majority of SES appointments at GAO are selected competitively, through the use of merit-based staffing procedures that provide for open competition.

Career Appointments

a) Career Appointment[9]

The most common category is the career appointment. Employees may be selected for career appointments in one of four ways: 1) by means of competitive procedures for direct appointment to the GAO SES, which is open to both GAO and other federal employees;[10] 2) by appointment from GAO's Executive Candidate Development Program (ECDP), after competitive selection for the program; 3) by transfer from an Executive Branch SES program; or 4) by reinstatement after leaving the SES for prescribed reasons. Career appointments by transfer and reinstatement are described in the governing order as non-competitive.[11]

b) Comptroller General Career Appointment

Most career appointments to the SES at GAO are made through the ECDP process. The primary exception is a CG career appointment. CG career appointments are apt to occur when the agency is faced with an immediate need to fill a vacancy. When there is an ECDP class in existence,[12] the CG may well appoint one of its members to fill the vacancy. Because ECDP classes are not always in progress, the CG may, at times, appoint a GAO

[8]See ch. 2 §1.

[9]GAO Order 2920.1, ch. 1 §7a defines a career appointee as "an individual in the GAO SES whose appointment to the position or previous appointment to another position was based on one of the following: certification and approval by GAO's Executive Resources Board or the Office of Personnel Management's (OPM's) Qualifications Review Board of the executive qualifications of such individual; selection through GAO's Executive Candidate Development Program; or conversion to an SES career appointment when the SES was first established."

[10]The number of direct appointments is very small.

[11]GAO Order 2920.1, ch. 2 §1a.

[12]GAO does not have an ECDP class in place on an ongoing basis. Such classes are only established as GAO sees a future need for a group of SES members.

employee from outside the ECDP when faced with a unique and/or immediate need.

CG career appointments are made based on merit competition. However, with this type of appointment, the appointee's executive qualifications are approved directly by the Comptroller General or his or her designee, rather than approved by GAO's Executive Resources Board or the Office of Personnel Management. CG career appointees enjoy the full range of benefits in the GAO SES system, including ranks and bonuses. However, these appointees may not transfer to the Executive Branch under the interchange agreement,[13] an option available to career appointees.

Limited Term Appointments

The third type of appointment, known as limited term, is an exclusively non-competitive appointment. A very small number of SES members have these limited term appointments.[14] These appointments cannot exceed three years and are non-renewable. The appointee serves at the pleasure of the appointing authority;[15] these positions do not carry the career protections available to competitive appointments.[16] Limited term appointees are eligible for ranks and bonuses in the GAO system "only if they previously held an SES career or CG career appointment, or were appointed through a competitive process equivalent to that used to select a career appointee."[17] This study focuses on competitive appointments; it does not encompass the extremely small number of limited term appointments to the SES at GAO.

[13]The interchange agreement, between GAO and the Office of Personnel Management, allows for non-competitive movement of career executives between the SES systems of GAO and the Executive Branch civil service. GAO Order 2920.1, appendix 3.

[14]The number of limited term appointments is restricted by statute. See 31 U.S.C. §731(e)(1); GAO Order 2920.1, ch. 1 §7. Currently, 3 of 124 members of the SES at GAO are limited term appointees. During the period under review in this study, 5 individuals were hired under the limited term appointment: 2 white males; 2 white females; and 1 black female. Two of the females were between the ages of 40-49; the other female and both of the males were between the ages of 50-59; none claimed a disability.

[15]GAO Order 2300.1 SUP 1-5 PAR. a, Appointing Authority, provides: "The Comptroller General is authorized by 31 U.S.C. 731 to make appointments. The Comptroller General may delegate appointing authority to subordinates under such regulations as he or she may prescribe. Only the officer in whom the power of appointment is vested or to whom it is legally delegated is properly termed an "appointing officer.'"

[16]A limited term appointee, if otherwise qualified, may be reassigned to fill a vacant SES position. The governing GAO Order states that "[n]o advance notice of the reassignment is required. When possible, however, reasonable notice should be given." GAO Order 2920.1, ch. 3 §6b.

[17]GAO Order 2920.1, ch. 1 §7c.

Applicant Sources for the SES

The minimum area of recruitment for the career GAO SES positions as well as the Executive Candidate Development Program is from all qualified individuals in the federal civil service, which includes all three branches of government, but excludes the uniformed services. Non-Federal employees are occasionally recruited for career appointments to the SES depending on the nature of the position being filled and the anticipated difficulty of attracting qualified candidates. Recruitment entails the publication of vacancy announcements in the Office of Personnel Management's SES vacancy announcement list, which includes posting on OPM's electronic bulletin board.

The minimum area of recruitment for CG career SES appointments is GAO-wide. Recruitment is done by means of an agency-wide Job Opportunity Announcement (JOA). During the time period of the study, 11 of the 14 SES vacancies announced for competitive appointment (apart from the ECDP program) were CG career appointments, limited to GAO employees only.

The Role of the Executive Resources Board

At GAO, the Executive Resources Board (ERB) is responsible for staffing the SES and overseeing the Executive Candidate Development Program.[18] The Comptroller General appoints the ERB's members. In the comments to this report, the agency noted that, for the past decade, the CG has chosen to appoint, as permanant members, the incumbents of the following positions: Principal Assistant Comptroller General, Assistant Comptroller General for Operations, Assistant Comptroller General for Planning and Reporting, General Counsel and Deputy Assistant Comptroller General for Human Resources. Also, the Comptroller General has appointed at least one Assistant Comptroller General from a division and one Regional Manager as limited term members. Between October 1, 1992, and September 30, 1997, the time period encompassed by this study, nine ERBs were constituted from a total of 21 senior staff. This total consisted of 17 white males, two black males, and two white females. The size of the ERB panels ranged from 7 to 10 members. No member was under 40 years of age and no member reported having a disability. Every ERB had at least one female member; every ERB, but one, had a black member; there were no Asian or Hispanic members.

[18]The ECDP was established in 1981 to identify individuals with the potential for executive responsibility and to provide them with the training necessary to assume leadership roles. Since its inception, 143 candidates have been selected for the program.

The ERB preliminarily screens, rates, and ranks candidates for career SES appointments and for the Executive Candidate Development Program.[19] The ERB then considers the candidates and makes recommendations for appointments to the Comptroller General, who is responsible for the final decision as to both career SES appointments and ECDP selections.

Records of the preliminary, intermediate, and final screening processes must be kept and must sufficiently document the basis for each qualification, rating and ranking determination.[20]

Avenues to GAO's Senior Executive Service

The Executive Candidate Development Program

The Executive Candidate Development Program (ECDP) was established to provide a pool of qualified candidates for GAO's Senior Executive Service who are familiar with the organization and can excel in carrying out technical and managerial tasks.[21] All Federal government employees at the GS-15 level or equivalent (at GAO, Band III employees and Band II attorneys) are eligible to apply. ECDP appointees filled almost three quarters of the SES vacancies announced during the five year period encompassed by this study.[22]

[19]GAO Order 2920.1 provides for a Qualifications Review Group to assist the ERB with preliminary screening, rating and ranking of candidates, as well as reference-checking. Since October 1992, the ERB has not constituted a Qualifications Review Group to assist it. The ERB has conducted the entire review process in order "to eliminate unnecessary overhead and duplicative reviews." The ERB has the Agency's Personnel Office perform "the technical review of qualifications." John H. Luke, Deputy Assistant Comptroller General for Human Resources, letter of March 18, 1998.

[20]GAO Order 2920.1, ch. 3 §2e.

[21]See flow chart at page 15.

[22]For purposes of this report, those employees who request to be considered for appointment to the SES through ECDP are referred to as "requestors." Those employees whose names are sent to the ERB are referred to as "nominees." Employees who are selected into the ECDP are referred to as "selectees." Those appointed to the SES are referred to as "appointees."

A total of 43 candidates filled the three ECDP classes which were formed during the time period under study. This report captures all data (pool of eligibles, requestors and nominees, as well as selectees) relating to the 43 candidates. However, as to 15 additional ECDP participants, who were chosen for SES vacancies from classes constituted prior to the inception of the Board's study, the captured data relates only to selection and does not include data for the earlier steps in the process (pool of eligibles, etc.).

Filling a class for the ECDP begins with the periodic review by management staff of agency separations, retirements, and reassignments to identify areas in which there is likely to be future demand for executives through projected SES vacancies. When such needs are identified, the Personnel Office issues a government-wide Job Opportunity Announcement through the Office of Personnel Management's (OPM) SES vacancy announcement list soliciting candidates for the program. All GS-15, Band III employees, and Band II attorneys at GAO are provided copies of the announcement.

GAO employees must request nomination to the program from the heads of their respective units. The division/office heads consult with each requestor's supervisor to discuss the employee's performance and to assess the requestor's potential to perform at the SES level. The unit heads then select and rank requestors for consideration by the ERB. The number of employees who can be nominated for the ECDP by unit heads is determined by the ERB.

The Executive Resources Board receives the nominations and rates the nominees on the selection factors contained in each Job Opportunity Announcement. These factors include the ability to:

- incorporate program and policy issues into the management of a unit;
- represent an organization;
- direct and monitor programs, projects, and policy development;
- lead employees and manage human resources; and,
- manage technical work and use technology.[23]

Each ERB member scores each nominee against the factors and returns the scores to the Personnel Office which then ranks the nominees. The full ERB then convenes to discuss the nominees and, in the case of GAO employees, meets with each nominee's unit head.

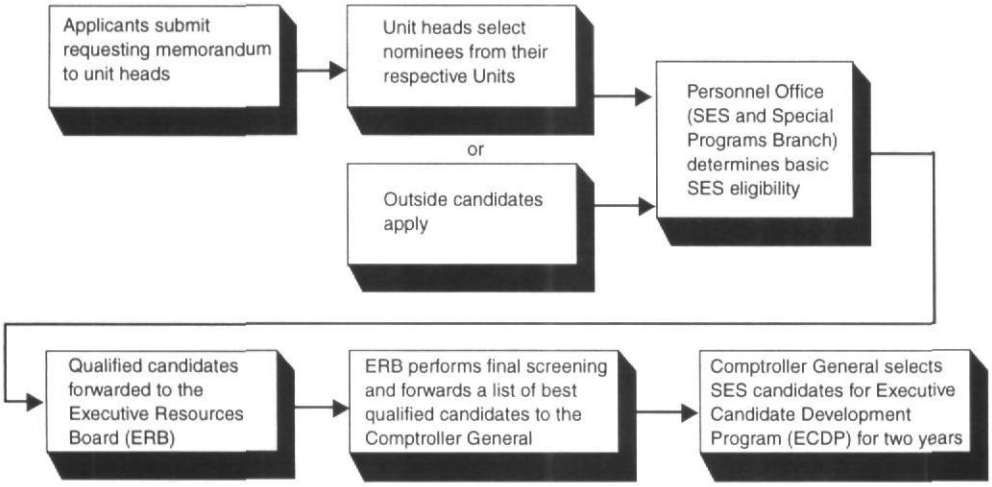
The ERB determines which, if any, nominees, both internal and external, will be interviewed and establishes teams to carry out the interviews. After the interview process has been completed, the ERB convenes to discuss the results of the interviews. The ERB then recommends the best qualified nominees to the Comptroller General for selection to the ECDP. The Comptroller General, at his discretion, may review relevant application documents, and/or interview the nominees, their unit heads, or members of the ERB. The Comptroller General makes the final selections.

[23]See, e.g., Announcement No. SES-92-02 (1992) (appendix I).

Once placed in the program, selectees are eligible for career appointments to the SES and remain eligible for the two year period following successful completion of their developmental program, which lasts an average of 18 months. The curriculum for the developmental program includes seminars on GAO operations; internal and external executive development courses; and assignments within various divisions and offices. The ERB assigns an SES mentor to each selectee; the mentor tailors the curriculum content and duration of the program to the individual's needs. Should a selectee not be chosen for a career SES appointment during his or her period of eligibility, he or she may compete for reentry to the ECDP.

Upon successful completion of the Executive Candidate Development Program, GAO Order 2920.1 provides that an individual may be appointed to a GAO SES position "without further competition;" the appointment is based on the ERB's certification and approval of his or her qualifications. All but two of the selectees for the ECDP from 1992-1997 were appointed to SES positions.

Entry Into GAO's Executive Candidate Development Program



Non-ECDP Selection Process

a) Initial Career Appointment

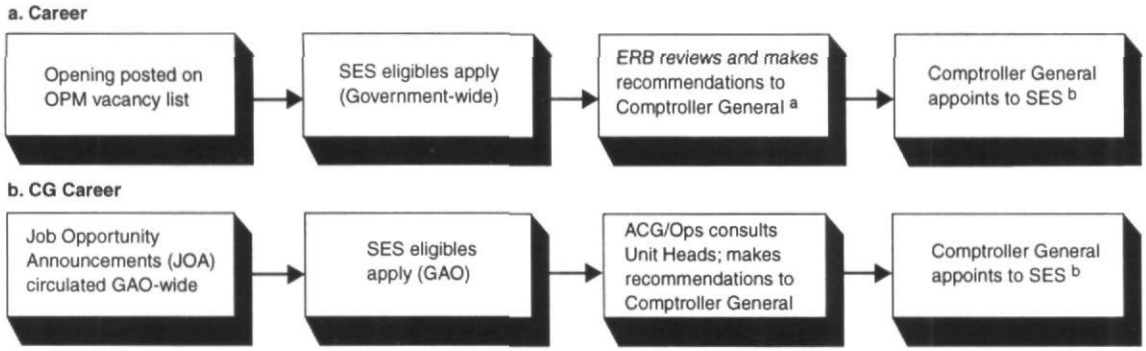
Initial career appointments are merit-based competitive positions which are filled through direct competition for the vacant position, rather than through appointment of a selectee who has completed the ECDP training program (after competing to enter the program). Recruitment for initial career appointments includes all qualified individuals in the Federal civil service, and may also include qualified individuals from outside government based on the nature of the position being filled and the anticipated difficulty of locating qualified candidates. All career competitive SES vacancies are advertised in OPM's SES vacancy announcement list. As is the case with the ECDP, the Executive Resources Board screens, rates, and ranks the candidates and makes recommendations to the Comptroller General for initial career appointments to the SES.[24] New career SES appointees are required to serve a one year probationary period.

b) CG Career Appointment

Comptroller General SES appointments are competitive and are normally limited to GAO employees. When an immediate need for an SES position is identified within a unit, the head of that unit obtains the approval of the Comptroller General to recruit for the position. The Personnel Office issues a GAO-wide JOA and, after the JOA closes, forwards the applications of the qualified applicants to the Assistant Comptroller General for Operations (ACG/Ops). The ACG/Ops consults with the appropriate unit heads and sends a selection to the Comptroller General.

[24]In its comments, the agency noted that these steps are taken by appropriate agency officials selected for that purpose by the CG or his designee.

Initial Career Appointments to SES (Non-ECDP)



[a] The Agency indicates that under current practice, "appropriate unit officials" make recommendations to Comptroller General.
[b] Under current practice and the draft revised SES Order, 2317.1, the Comptroller General *or designee* makes the appointment.

SES Selection During the Period 1992-1997

The ECDP

Three classes of ECDP candidates (43 in total) were recruited and selected between October 1, 1992 and September 30, 1997.[25] For purposes of determining an average eligibility list of Band III and GS-15 employees and Band II attorneys at GAO, the Board used a profile of those groups as they stood in June 1995, as a midway reference point among the three classes ("1995 eligibles").[26]

During the study, the list of names forwarded to the Executive Resources Board for the three classes contained 156 people, 142 of whom were deemed to be "qualified" by the Personnel Office. There were 102 nominees from GAO.[27] There were 145 GAO employees who requested nominations to the three ECDP classes, but whose applications were not forwarded to the ERB from their divisions or units.

White employees constituted 87.5% of those requesting nomination to the ECDP (the "requestors") and 91.1% of those forwarded to the ERB (the "nominees"). Black applicants made up 8.9% of the requestors and 7.9% of the nominees. Hispanic employees constituted .8% of the requestors. No Hispanic applicant advanced beyond the unit level. Asian employees represented 2.8% of the requestors. One Asian applicant was nominated (1%).

Females represented 25.9% of the requestors and 30.4% of nominees.

The age statistics are as follows: employees under 40 constituted 10.2% of the requestors and 15.6% of the nominees. Employees between ages 40 and 49 constituted 63.2% of the requestors and almost 75% of the nominees. Employees between the ages of 50 and 59 constituted 24.3% of the requestors and only 9.8% of the nominees. Finally, 2.4% of all requestors were 60 or over. No nominees were in that age group.

The following charts reflect the percentage representation by race/national origin and gender for GAO employees in each of the following categories:

[25]Seventeen were from JOA 92-02 (closing date of January 1993); 12 from JOA 94-01 (closing date October 1994); and 14 from JOA 97-02 (closing date November 1996). Two of the selectees from JOA 94-01 did not complete the program.

[26]This profile comes before the agency's recent 15-month downsizing. In an earlier report, the Board determined that the downsizing had little effect on the agency's overall EEO profile. *(Downsizing at the U.S. General Accounting Office*, September 1997).

[27]EEO data is available for the 102 GAO employees but not for the applicants from other Federal agencies.

- Employees eligible to apply for SES positions (1995 GS-15s, Band IIIs, and Band II attorneys) (Chart III.1);
- Requestors (employees who requested to be nominated by the unit heads) (Chart III.2);
- Nominees (requestors forwarded to ERB by unit heads) (Chart III.3);
- Selectees (nominees selected by ERB) (Chart III.4).

The accompanying tables track the data presented in each chart, but show the actual number rather than the percentage of employees in each category.

Chart III.1:

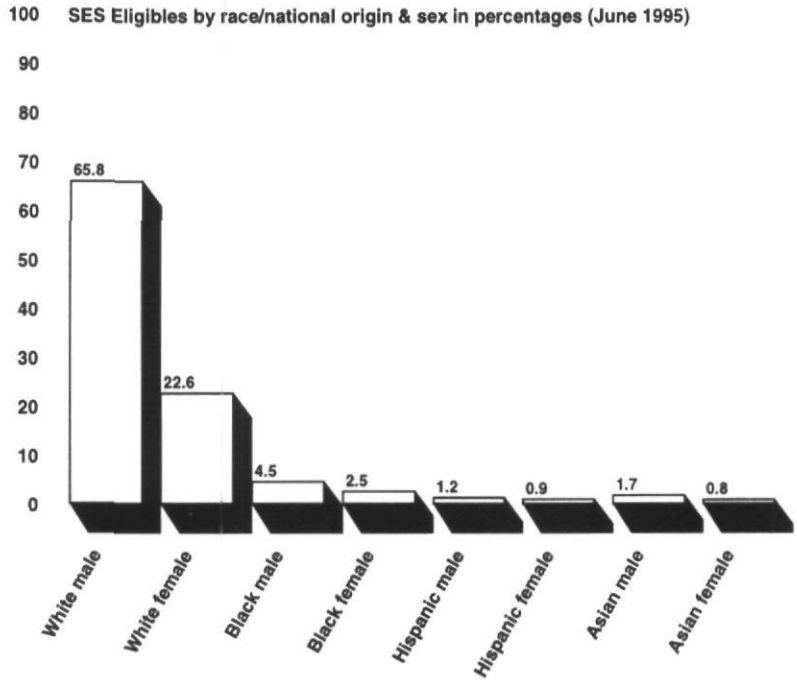


Table III.1:

	White	Black	Hispanic	Asian
Male	428	29	8	11
Female	147	16	6	5
Total	**575**	**45**	**14**	**16**

Chart III.2:

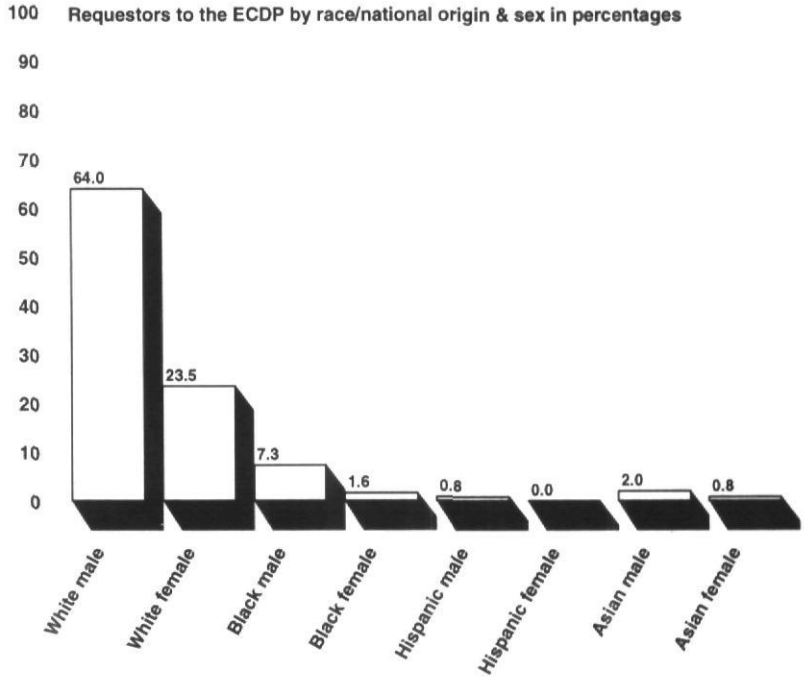


Table III.2:

	White	Black	Hispanic	Asian
Male	158	18	2	5
Female	58	4	0	2
Total	**216**	**22**	**2**	**7**

Chart III.3:

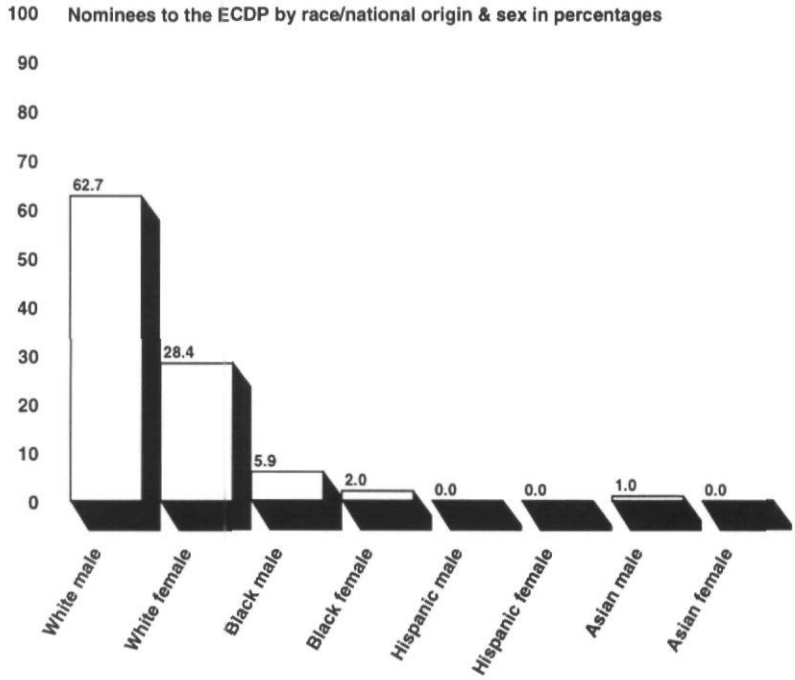


Table III.3:

	White	Black	Hispanic	Asian
Male	64	6	0	1
Female	29	2	0	0
Total	**93**	**8**	**0**	**1**

Chart III.4:

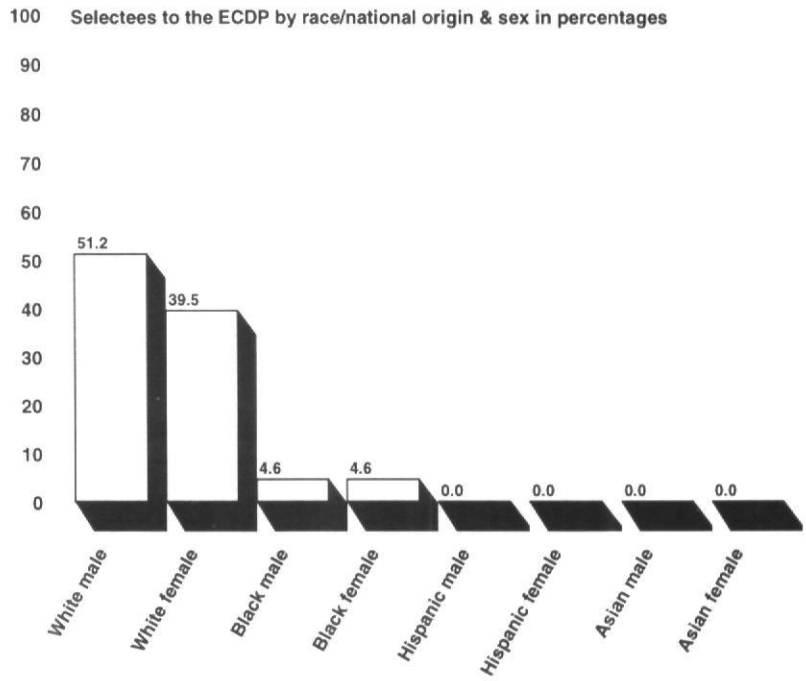


Table III.4:

	White	Black	Hispanic	Asian
Male	22	2	0	0
Female	17	2	0	0
Total	**39**	**4**	**0**	**0**

The following charts show the percentage representation by age (under 40; 40-49; 50-59; and 60 & over) for each of the following categories:

- 1995 Eligibles (Chart III.5);
- Requestors (Chart III.6);
- Nominees to the ERB (Chart III.7); and
- Selectees to the ECDP (Chart III.8).

Chart III.5:

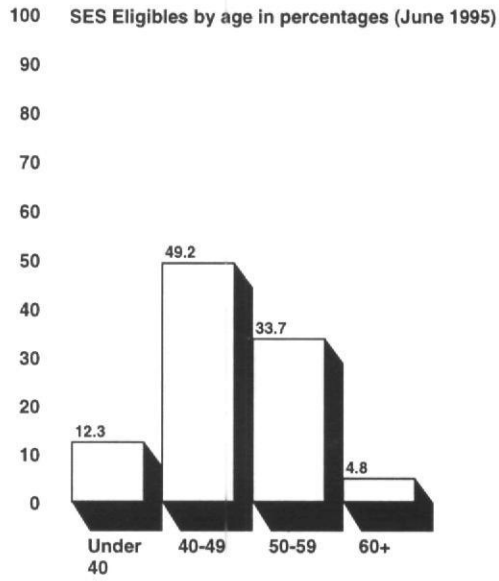


Chart III.6:

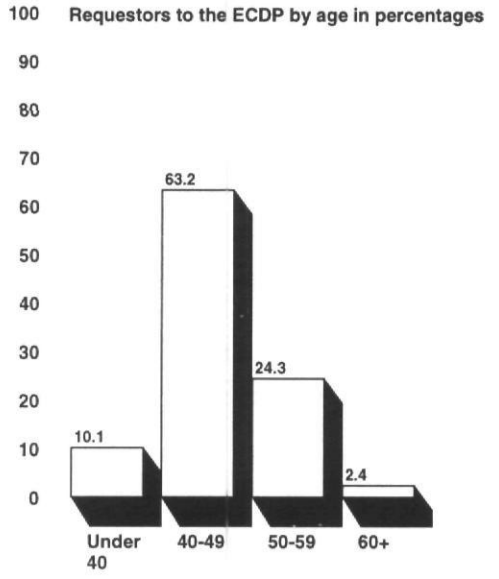


Chart III.7:

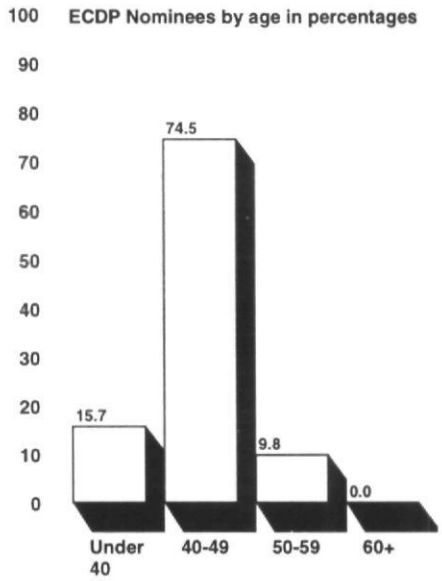
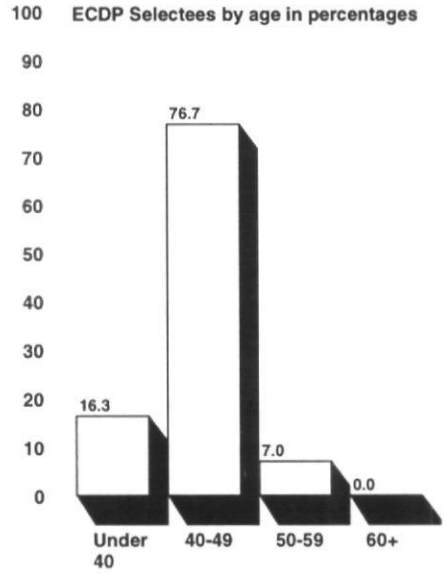


Chart III.8:



Reflecting a slightly different perspective, the following chart and table focus on the nomination step in the ECDP application process. Each category of employees requesting nomination to the ECDP, by race, national origin and gender, is reviewed within its own category for the percentage of requestors who were successful in being nominated.

Chart III.9:

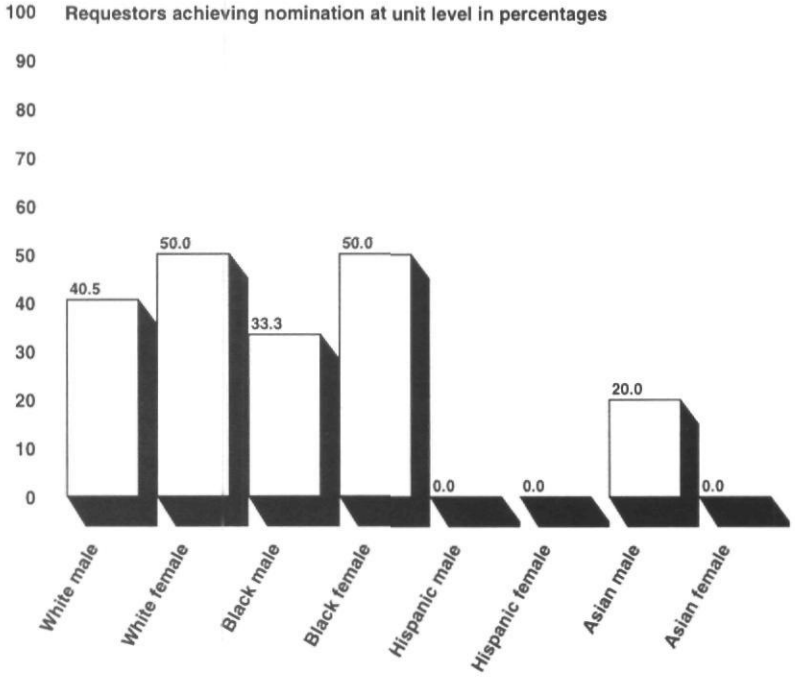


Table III.9:

Race/sex	Number of requestors	Number of nominees	Percent successful
TOTAL (GAO)	247	102	41.3%
White male	158	64	40.5%
White female	58	29	50%
Black male	18	6	33.3%
Black female	4	2	50%
Hispanic male	2	0	0%
Hispanic female	0	0	0%
Asian male	5	1	20%
Asian female	2	0	0%

The various age categories are reviewed below for a perspective on the success rate in achieving nomination to the ECDP for each age category.

Chart III.10:

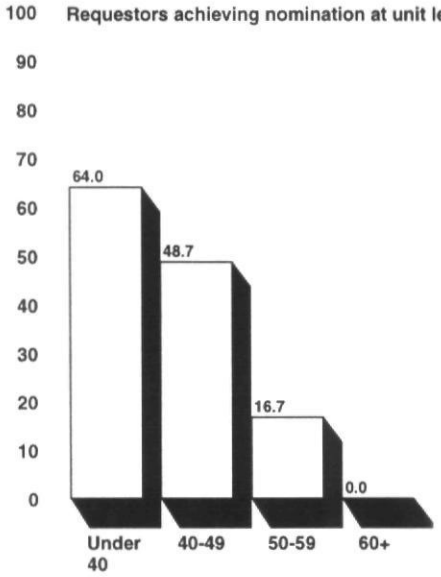


Table III.10:

Age	Number of requestors	Number of nominees	Percent successful
TOTAL	247	102	41.3%
Under 40	25	16	64%
40-49	156	76	48.7%
50-59	60	10	16.7%
60 +	6	0	0%

The following table shows the numbers and percentages of GAO employees who were eligible for, applied for, and were selected into the ECDP from 1992-1997.

Table III.11: Executive Candidate Development Program (1992-1997)[a]

Race/sex	Pool		Requestor		Nominee		Selectee	
	#	%	#	%	#	%	#	%
Total	650	100%	247	100%	102	100%	43	100%
WM	428	65.8%	158	64%	64	62.7%	22	51.2%
WF	147	22.6%	58	23.5%	29	28.4%	17	39.5%
BM	29	4.5%	18	7.3%	6	5.9%	2	4.6%
BF	16	2.5%	4	1.6%	2	2%	2	4.6%
HM	8	1.2%	2	.8%	0	0%	0	0%
HF	6	.9%	0	•	0	•	0	•
AM	11	1.7%	5	2%	1	1%	0	0%
AF	5	.8%	2	.8%	0	0%	0	0%

Age	Pool		Requestor		Nominee		Selectee	
	#	%	#	%	#	%	#	%
Total	650	100%	247	100%	102	100%	43	100%
Under 40	80	12.3%	25	10.1%	16	15.7%	7	16.3%
40-49	320	49.2%	156	63.2%	76	74.5%	33	76.7%
50-59	219	33.7%	60	24.3%	10	9.8%	3	7.0%
60 +	31	4.8%	6	2.4%	0	0%	0	0%

[a]This table reflects the EEO data for the pool of eligibles at GAO at the beginning of the study. It also reflects the pertinent data for GAO employees who initiated the process of applying for entrance to the ECDP by requesting nomination from their unit heads within the 5 years under review. The table does not capture the data for ECDP participants who entered the program prior to 1992; EEO data for those individuals is captured in the table below at page 32, which shows all appointments to the SES during 1992-1997.

Competitive Career Selections Outside the ECDP

Between October, 1992, and October, 1997, the agency also advertised 14 SES positions for which 15 employees were selected.[28] Of those 15, 10 were white males and 5 were white females. In addition, 2 were under age 40; 6 were between 40-49; 5 were between 50-59; and 2 were 60 or over.

Of the 14 advertised positions (15 vacancies) for initial SES appointment, 11 were restricted to GAO applicants only and thus, by definition, were CG career appointments without the interagency transfer rights which accompany regular career appointments. The remaining four vacancies

[28]The SES announcements were 92-03; 93-01 & 02; 94-02; 95-01; 96-02 & 03; 97-01,04,05,06,07; and 98-01 & 02. Two persons were selected for Announcement #97-01 because there were two vacancies.

were made by means of initial career competitive appointment, with full interagency transfer rights.

In 3 of the 11 selections for CG career appointments, there were only one applicant and one selectee. In 4 of the 11, there were two applicants and one selectee.

In total, there were 37 applicants for the 11 SES slots restricted to GAO applicants: 33 were white (23 male or 62.2% and 10 female or 27%); 2 were black males (5.4%) and 2 were Asian males (5.4%). Five of the applicants were under 40 (13.5%); 19 were between the ages of 40-49 (51.4%); 10 were between the ages of 50-59 (27%); and, 3 were 60 or over (8.1%).

Eight of those selected for the 11 SES positions were white males (72.7%); 3 were white females (27.3%). One selectee was under 40 (9.1%); 5 were between the ages of 40-49 (45.4%); 3 were between the ages of 50-59 (27.3%); and 2 were 60 or over (18.2%). In addition, one of the selectees over age 60 identified himself as having a non-severe disability (9.1%).

For the 3 positions (4 vacancies) open to candidates outside of GAO (initial career appointments), there were 49 non-GAO appplicants and 10 GAO applicants. No EEO information is available for the non-GAO applicants. These vacancies included two interagency positions housed at GAO for administrative purposes but not identified in the job announcements as GAO positions. Applicants for these positions were reviewed by a panel representing each of the three sponsoring agencies, including GAO. Two positions within GAO's organizational structure, technical directors in the Office of Chief Scientist for Computers and Telecommunicaions, were also filled by initial career appointment. The latter two positions were open to all Federal employees, including those eligible for reinstatement. One of the interagency positions was open to all Federal employees, while recruitment for the other included all qualified individuals.

Summary

In analyzing representation in the SES with respect to race/national origin, gender, age and disability, it is important to note that the number of employees within certain groups, *e.g.*, Asian, Hispanic, and 60 and over, is extremely small. Given the type of analysis used in this report, one should be cautious in attempting to draw generalized conclusions from these small study samples.

ECDP

The ranks of the ECDP provide the majority of the SES staff. For the five years in question, two Hispanic employees requested consideration; neither name was nominated by the respective unit head. One Asian employee's application, of seven requestors, was forwarded to the ECDP; he was not selected. The few Hispanic and Asian employees who requested nomination to the ECDP generally did not survive the unit level screening process.

Analysis of the age data reveals a lack of congruence among the available pool, the number of requestors, and the number of ECDP selectees in certain age groups. Employees below age 50 were disproportionately successful in being selected in relation to their representation in the pool of eligibles; those 50 and over were disproportionately unsuccessful. Specifically, employees under 40 constituted 12.3% of the pool of GS-15s, Band IIIs, and Band II attorneys; 10.2% of requestors; 15.7% of the GAO nominees; and 16.3% of the selectees. Moreover, 49.2% of the GS-15s, Band IIIs, and Band II attorneys were between the ages of 40-49. That age group constituted 63.2% of GAO employees requesting that their names be forwarded to the ECDP; 74.5% of nominees; and 76.7% of the selectees. In contrast, employees between 50 and 59 years of age constituted 33.7% of the eligible employees at GAO; 24.3% of the requestors; 9.8% of nominees; and only 7.0% of those selected to participate in the ECDP. Employees age 60 and over made up 4.8% of the eligible pool, 2.4% of requestors, but none made it through the nomination process.[29]

[29]During the period 1985-1990, no employee over the age of 50 was selected to participate in the ECDP. Csicseri v. Bowsher, 862 F.Supp. 547, 560 (D.D.C. 1994), aff'd mem., 67 F.3d 972 (D.C. Cir. 1995). As to the seven plaintiffs at issue in that case, the District Court concluded that age discrimination had not been proven based either upon disparate treatment or disparate impact. The court found that "GAO presented significant and credible nondiscriminatory reasons why plaintiffs were not appointed to the ECDP or promoted to the SES," and that the plaintiffs had failed to demonstrate that age was a factor in the agency's promotion decisions. 862 F.Supp at 573. As to disparate impact, the court determined that "plaintiffs have failed to isolate and identify any specific GAO practices which they feel cause discriminatory impact." Id. at 574.

SES Appointments 1992-1997[31]

Women experienced the largest gain of any group during the study, capturing 40% of all appointments to the SES during the five year period under review. They constituted 26.8% of the eligible employees and now make up 31.5% of the SES corps. Black employees as a group also made gains in appointment to the SES during the study period,[31] although the success rate of black males nominated to the EDCP was below that of both white males and black females.[32] Of the 75 appointments to the SES under review (pursuant to all selection processes discussed above), 10.6% were filled by black candidates; black employees constituted 6.9% of the GAO pool of eligibles.

Blacks now comprise 7.3% of the SES at GAO. Although no Hispanic employees were appointed to the SES during the study period, they comprise 3.2% of the current GAO SES, compared to 2.1% of the 1995 pool of eligibles. The success rate of Asians mirrored their representation in the pool of eligibles.

SES Today

With regard to race/national origin and gender, as of April 1998, the SES corps resembles the composition of the pool of employees currently eligible for selection at GAO.

The GAO workforce, as a whole, is 71.7% white; 20.7% black; 3.6% Asian; and 3.8% Hispanic. The workforce is 46% female and 28.7% is under age 40.

The profile of the current pool of eligibles at GAO, (as of April 1998) a total of 579 employees (GS-15s, Band IIIs, and Band II attorneys), is 87.6% white; 7.3% black; 3.5% Asian and 1.6% Hispanic. That pool is 71.5% male and 28.5% female. Employees under age 40 are 11.2% of the eligible pool. The table on page 32 summarizes the percentage of eligibles, applicants, and appointees during the period of the study by race/national origin, gender, and age.

The table on page 33 shows that the SES as of April 1998 is 85.5% white; 7.3% black; 4.0% Asian; and 3.2% Hispanic. Males comprise 68.6% of the

[30] See table IV.1 below at p. 32, which captures all SES appointments from 1992-1997.

[31] It must be noted that all 15 selectees emerging from the non-ECDP competitive process during the five years under study were white.

[32] Chart III-9 shows that 40.5% of white male requestors were nominated to the ECDP by their unit heads. The comparable percentage for black males was 33.3%; for black females, it was 50%.

corps and females 31.4%. Employees under age 40 comprise 5.6% of the corps.[33]

Nearly 55% of the present SES corps is between the ages of 50 and 59. That statistic provides snapshot information as to the composition, by age, or GAO's SES. However, with regard to the subject of this study, the selection into the Senior Executive Service at GAO, the more relevant statistics are the ones that reflect the ages of members when they entered the corps. Twenty percent of the 75 corps members over the age of 50 entered the SES between the ages of 30 and 39; and more than 65% entered between the ages of 40 and 49. Over 85% of GAO's SES corps, who are at present over age 50 (64 of 75 SES members), entered the corps prior to age 50. Only 12% (9 members) entered between the ages of 50 and 59; and 2.7% (2 members) entered at age 60 or older.

These findings are consistent with the results of the Board's study of the SES selection process from 1992-1997 indicating a noticeable decline in applicant success for employees 50 and over.

The Senior Executive Service is a critical part of GAO's management team. It is important that the Agency monitor both the process leading to SES appointments as well as the appointments themselves with a careful eye toward its EEO obligations and commitments.

Table IV.1: GAO SES Appointments 1992-1997

	1995 Eligibles	All GAO applicants[1]	Appointees 1992-1997
Whites	88.5%	87.7%	85.3%
Blacks	6.9%	8.4%	10.6%
Hispanics	2.1%	.7%	1.3%
Asians	2.5%	3.2%	2.6%
Under 40	12.3%	10.6%	17.3%
40-49	49.2%	61.6%	62.6%
50-59	33.7%	24.6%	16.0%
60 +	4.8%	3.2%	4.0%
Male	73.2%	73.9%	60%
Female	26.8%	26.1%	40%

[33]In comparison, the composition of the Executive Branch SES as of December 31, 1997, is more than 85% white; 7.5% black; 1.6% Asian; and, 2.2% Hispanic. (A total of 234 or 3.4% of the Executive Branch SES corps is not identified by race or national origin). Additionally, 21.4% is female and 3.9% is under 40.

Table IV.2: GAO 1998

	1998 GAO workforce	Current eligibles	Current SES
Whites	71.7%	87.6%	85.5%
Blacks	20.7%	7.3%	7.3%
Hispanics	3.8%	1.6%	3.2%
Asians	3.6%	3.5%	4.0%
Other	.2%		
Under 40	27.6%	11.2%	4.8%
40-49	36.3%	43.4%	37.1%
50-59	32.6%	41.8%	54.8%
60 +	3.0%	3.6%	3.2%
Male	53.8%	71.5%	68.5%
Female	46.2%	28.5%	31.5%

Sample Job Opportunity Announcement

United States General Accounting Office

GAO

Senior Executive Service Opportunity
Announcement Number: SES-92-02

Executive Candidate Development Program

Opens: October 19, 1992 Closes: November 13, 1992

Number of Vacancies:
Approximately 10 positions

Location:
U.S. General Accounting Office
441 G Street, N.W.
Washington, D.C.

Area of Consideration:
All qualified federal employees including individuals eligible for reinstatement

Grade Level: GS-15, GAO Band III, or equivalent

Salary:
Federal employees will receive the same rate of basic pay as they currently receive. Reinstated federal employee salary will be set in the range of $64,233 to $83,502.

Duties:
The purpose of GAO's Executive Candidate Development Program is to identify and select through competition, highly qualified individuals and prepare them as candidates for SES vacancies. The program will vary in length depending on the needs of the individual participants and will normally include:

- an opportunity to assess managerial strengths and needs;
- executive training consisting of both in-house courses and courses given by external sources;
- several seminars with executive development staff and top management concerning GAO executive management, operations, and congressional relations;
- developmental assignments within GAO's headquarters, regional offices, and/or with other federal agencies; and
- evaluation of progress and counseling of the candidates at the completion of each phase of their curriculum.

Each candidate selected will work with a mentor who will be a current SES member and will assist in developing the candidate's program curriculum based on the candidate's individual needs and provide other counseling when necessary.

Qualifications:
- The program is open to all persons who currently hold a career, career-conditional, permanent excepted, or permanent excepted-conditional appointment, or are eligible for reinstatement in the federal service.

GAO is an Equal Opportunity Employer. **U.S. citizenship is required.**
CP-210

Qualifications con't

- All applicants must have held a permanent GS/GM-15 or GAO Band III position.
- Applicant's background (education and experience) **must clearly demonstrate a knowledge of evaluation or auditing principles, techniques, and practices, and the potential to organize and direct a comprehensive evaluation and/or audit program.**

Evaluation Criteria - Executive Selection Factors:
Applicants meeting the above criteria will be further evaluated to determine the extent to which their experience, education, and accomplishments are indicative of competence to accomplish the following five activity areas:

1. **Incorporating knowledge of internal and external program and policy issues into managing a unit.**
Applying a broad perspective to managing a unit by keeping current with events occurring throughout the organization as well as outside influences (e.g., congressional, technological, and economic).

2. **Representing an organization and serving as a liaison.**
Establishing and maintaining relationships with key individuals and groups outside the immediate work unit, and serving as a spokesperson for the work unit and organization. Such activities include experience working with Congress or other external organizations (i.e., preparing/presenting congressional testimony, briefings, speeches, and other presentations).

3. **Directing and monitoring programs, projects, or policy development.**
Understanding strategic management, designing responsive plans and programs, and establishing the necessary structure and procedures to implement them. Effective long- and short-term planning, information gathering and analysis, scheduling and monitoring work and evaluating implementation and results.

4. **Leading people and managing human resources.**
Creating a high-quality work environment that clearly communicates expectations for all staff; implementing procedures to assure effective, accurate and timely work; providing career development opportunities; and ensuring that staff are appropriately employed and treated fairly in accordance with EEO and other personnel policies. Managing organizational change and creating an environment that values work force diversity.

5. **Managing work in technical areas and using technology.**
Possessing competence in one or more technical areas essential to GAO's mission (e.g., economics, auditing, program evaluation, systems development, or policy analysis). Using effective techniques, analytical skills, and information management systems to manage and accomplish unit work. Managing a heterogeneous work force possessing an array of technical skills.

Application Procedures - Non-GAO Applicants
Submit a completed Standard Form 171, Application for Federal Employment (signature and date must be original).

Submit a GAO Form 570, Executive Selection Factors and GAO Form 570A, Appraisal of Performance and Potential.

A complete application package must be received in the Executive Personnel Unit by the close of business of the closing date in order for an applicant to receive further consideration.

Announcement Number: SES-92-02 **Executive Candidate Development Program**

Application Procedures - GAO Applicants

GAO applicants must submit a memorandum indicating their application to their respective unit head by the closing date of this announcement. Upon receipt of GAO applications, unit heads (in consultation with applicant's SES supervisor) will select their nominees for the program. Those selected by the unit head will be immediately notified so that they may prepare an SF-171 for submission to the SES supervisor. The SF-171 **must** be prepared within the following constraints: **GS-15/Band III level experience and GS-14/Band II level experience** will be limited to one experience block and one additional page for each grade or Band; and **all remaining experience** will be limited to one experience block and one additional page. The result will be an SF-171 in which the experience portion is limited to one page containing three experience blocks and three additional pages.

An Appraisal of Performance and Potential (GAO Form 570A) will be prepared by the applicant's SES supervisor. The GAO Form 570 and SF-171 will then be forwarded to the unit head for review. The unit head will forward 12 copies of the application (SF-171, GAO Form 570 and GAO Form 570A) and a list of the unit's nominees to Robert Bolger, Room 1052. The twelve (12) copies must be received by December 4, 1992.

Selection Procedures:

The SES and Special Programs Branch will review all applications to determine basic eligibility for entry into the Executive Candidate Development Program. Those eligible for further competition will be referred to the Qualifications Review Group (QRG).

The QRG performs the second level of screening for program nominees and applicants. After reviewing and assessing applications presented to it, the QRG forwards the best qualified to the Executive Resources Board (ERB).

The ERB performs the final screening of nominees and other candidates and may, at its discretion, conduct interviews to determine the program finalists. The ERB will forward a list of the best qualified candidates to the Comptroller General who will make the final selection. All applicants will be notified by the Executive Secretary of the ERB of the final results.

Promotion Potential:

The GAO ERB will certify the managerial qualifications of all individuals who successfully complete the Executive Candidate Development Program. After certification an individual will be eligible for consideration for an SES position in GAO for a period of 2 years. There is no guarantee of selection for an SES position. Candidates may be selected for an SES position before completing their Individual Development Plans.

Remarks:

- Selectees are subject to a favorable background investigation.
- Non-GAO selectees will be required to serve a 1-year GAO trial period.
- Non-GAO selectees will be given an excepted or excepted-conditional appointment. Appointment in the excepted service will not affect an individual's reinstatement eligibility.
- Selectees at GAO Band III will receive bonuses and permanent pay equivalent to the outstanding award category for the year in which they are selected for the program. For each succeeding year that they are SES candidates, they will not be eligible for bonuses but will receive an automatic pay adjustment equivalent to the outstanding award category.
- United States citizenship is required.

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Announcement Number: SES-92-02 **Executive Candidate Development Program**

ALL MATERIAL MUST BE RECEIVED BY THE CLOSE OF BUSINESS ON THE CLOSING DATE OF THIS ANNOUNCEMENT.

PLEASE DO NOT INCLUDE UNREQUESTED MATERIAL AS PART OF THE APPLICATION PACKAGE BECAUSE IT CANNOT BE FORWARDED TO THE SELECTING OFFICIAL OR RETURNED TO YOU.

Send completed forms to:
U.S. General Accounting Office
Personnel, SES and Special Programs Branch
Attention: Karin Pittman or Bud Bolger
441 G Street, N.W., Room 1052
Washington, D.C. 20548

For more information, call (202) 275-6185.

Summary of Comments

The Office of General Counsel of the Personnel Appeals Board (PAB/OGC) commented on the draft report. On behalf of that Office, the Acting General Counsel noted that the draft report contained a thorough explanation of the SES selection process at GAO as well as an extensive statistical analysis. The Acting General Counsel suggested that the Board's study should have included a statistical analysis appropriate to a small study sample (*e.g.*, regression analysis of the type sometimes used in litigation). However, such an analysis was beyond the scope of the Board's study. As expressed in the project proposal, the objective of the SES study was to determine whether members of specific race/national origin, gender, age or disability groups were "represented in the SES in the percentage that would be expected based on their representation in the pool of employees eligible for SES selection."

The Acting General Counsel also observed that the explanantion of the report's methodology was unclear. Because the study's object was to examine the SES in terms of the representation of protected groups as SES eligibles compared to SES members, the Board opted to undertake a straightforward review rather than the sophisticated statistical analysis suggested by the PAB/OGC.

The agency also submitted comments and noted that overall the report presented a fair discussion of the processes for entry into the SES at GAO. The agency also provided technical and clarifying information that has been incorporated into the text where appropriate.