

**US Coast Guard
Briefing to DACOWITS
RFI 17
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Presented by:

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Inclusion**



a. Identify all current policies, regulations, training, and other directives or policy sources that address the issue of gender bias/discrimination and summarize the key provisions

The Coast Guard models its military equal opportunity programs and discrimination complaint processing, to the greatest extent practicable, on 29 CFR 1614 and related Civil Rights laws and statutes. The Coast Guard Civil Rights Manual, COMDTINST M5350.4 (series) implements the policies for all personnel.

- Coast Guard Policies
 - Coast Guard Civil Rights Manual, COMDTINST M5350.4E: Sets forth policy and guidance for military Equal Opportunity and civilian Equal Employment Opportunity programs. This enables the USCG to maintain a model EEO program that ensures protection and equality based on multiple protected bases, including sex.
 - Commandant's Equal Opportunity Policy Statement: Issued annually (most recently July 11, 2022) and affirms USCG support of equal opportunity, equal access, and a work environment free from unlawful discrimination, hate, and harassment.
 - Commandant's Antidiscrimination and Anti-Harassment Policy Statement: Issued annually (most recently July 11, 2022) and states the workplace will be free of discrimination and harassment, including gender bias, that such conduct will be addressed, and where individuals can find more information regarding agency processes.
 - Discipline and Conduct Manual, COMDTINST M1600.2: Outline the prohibitions of discrimination, harassment, bullying, and hazing.



a. Identify all current policies, regulations, training, and other directives or policy sources that address the issue of gender bias/discrimination and summarize the key provisions (cont.)

- Civil Rights Laws and Statutes
 - [29 CFR Part 1614](#) prohibits employment discrimination on the bases of race, color, religion, national origin, sex, age and disability, as well as retaliation, and applies to employment discrimination by the federal government
 - [U.S. Code Title 42, Chapter 21 -- Civil Rights](#) prohibits discrimination against persons based on age, disability, gender, race, national origin and religion (among other things) in a number of settings including education, employment, access to businesses and buildings, and federal services. In Chapter 21 a number of federal acts related to civil rights have been codified including the Civil Rights Act of 1866, Civil Rights Act of 1964, and the Civil Rights of Institutionalized Persons Act.
 - [Title VII of the Civil Rights Act of 1964](#) prohibits employment discrimination based on race, color, religion, sex, or national origin.
 - [The Civil Rights Act of 1991](#) provides monetary damages up to \$300,000 in cases of intentional employment discrimination for Federal EEO complaints.
 - [Title IX of the Educational Amendments of 1972](#) prohibits discrimination based on sex in educational institutions receiving Federal funds and covers programs and activities such as student loans and scholarships, access to courses, housing, health services, athletics, career services and publications.



a. Identify all current policies, regulations, training, and other directives or policy sources that address the issue of gender bias/discrimination and summarize the key provisions (cont.)

- Civil Rights Laws and Statutes (cont.)
 - [Notification and Federal Employee Antidiscrimination and Retaliation \(No FEAR\) Act](#) Public Law 107-174 requires that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws and requires that complaint data be publically posted.
 - [Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020](#) amended the No FEAR Act and requires an agency to post findings of discrimination (including retaliation) from any final action once all appeals are exhausted. Agencies must publish Notices for one year.
- Executive Orders
 - [Executive Orders 11246 \(1965\)](#) and [11375 \(1967\)](#) bar discrimination in Federal employment based on race, religion, color, or national origin. These Executive Orders require agencies to establish Equal Opportunity programs and complaint procedures. Executive Order 11375 amended Executive Order 11246 to prohibit discrimination based on sex as well. As a result of this order, the Federal Women's Program was established.
 - [Executive Order 13087 \(1998\)](#) prohibits discrimination against civilian employees of the Federal Government based on their real or perceived sexual orientation.

a. Identify all current policies, regulations, training, and other directives or policy sources that address the issue of gender bias/discrimination and summarize the key provisions (cont.)

- Executive Orders (cont.)
 - [Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation - The White House](#) Executive Order 13988 (2021): Prevents and combats discrimination on the basis of gender identity or sexual orientation, and fully enforces Title VII and other laws that prohibit discrimination on the basis of gender identity or sexual orientation.
 - [Executive Order on Establishment of the White House Gender Policy Council - The White House](#) Executive Order 14020 (2021): Established the White House Gender Policy Council to advance equal rights and opportunities, regardless of gender or gender identity, in advancing domestic and foreign policy - including by promoting workplace diversity, fairness, and inclusion across the Federal workforce and military.



a. Identify all current policies, regulations, training, and other directives or policy sources that address the issue of gender bias/discrimination and summarize the key provisions (cont.)

- Training
 - Preventing and Addressing Workplace Harassment Training: Uses scenarios and case studies to present critical concepts from anti-harassment policy. Learners view instances of harassing behavior, discover how harassing behavior is qualified, how to report allegations of harassment and use this knowledge to assess this behavior in practical scenarios.
 - Civil Rights Awareness: Familiarizes individuals with basic concepts related to equal employment opportunity law, including complaint processing, alternative dispute resolution, reasonable accommodation, anti-harassment, and protected bases.
 - Sexual Harassment Prevention Training: Raises awareness among Coast Guard personnel of behaviors that constitute sexual harassment and actions to prevent or eliminate the conduct.
 - Diversity and Inclusion Foundations Course: Provides instruction on basic concepts such as: diversity, inclusion and belonging, emotional intelligence, civility in the workplace, microaggressions, unconscious bias, and generational diversity.



b. When training began to educate Service members that gender discrimination is prohibited, to include the nature and fora of trainings/education given to commanders, non-commissioned officers, basic training recruits, and their drill instructors, and the Service member population generally about the issue of gender discrimination. Does this training include how to prevent and mitigate negative attitudes and bias toward servicewomen?

- Coast Guard began Civil Rights based training prior to 2005 and it is currently recertified triennially. The Civil Rights Awareness training is instructor-led by members of the Civil Rights Directorate and considered mandated training for all personnel, including unit commanders, non-commissioned officers, basic training recruits, and their instructors.
 - Since 2006, newly appointed Flag Officers and Senior Executive Service members attend a two-day, instructor-led course typically held at the Defense Equal Opportunity Management Institute (DEOMI). The Senior Executive Leadership Equal Opportunity Seminar (SELEOS) provides instruction on discrimination, harassment, diversity, equity, and inclusion.
 - Prior to 2005, the Sexual Harassment Prevention (SHP) training began as an annually required mandated training available online or as an instructor-led course.
 - In 2018, the Preventing and Addressing Workplace Harassment (PAWH) began as an annually required mandated training. The online course introduces the workforce to the DHS/USCG anti-harassment reporting procedures that requires commanders/leaders to address harassing behaviors before they become unlawful.
 - Since 2021, USCG has offered a Diversity and Inclusion Foundations Course, which offers online instruction on basic concepts such as: diversity, inclusion and belonging, emotional intelligence, civility in the workplace, microaggressions, unconscious bias, and generational diversity.
 - Although these trainings do not specifically include how to prevent and mitigate negative attitudes and bias towards servicewomen, their overall effect may reduce negative attitudes and bias towards servicewomen due to their emphasis on non-discrimination.
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c. How will the Services monitor, track and enforce policy compliance?

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- Civil Rights Command Checklist: Unit commanders are required to submit an annual review of their Civil Rights programs directly to the Civil Rights Directorate. The tool ensures that the requirements such as privacy, security, policy statement posting, training, and similar requirements are being met to ensure compliance with civil rights policies.
 - Command Visits: Civil Rights Directorate leaders regularly visit unit commanders to provide assistance or guidance, when necessary. The visits engage with unit leadership to better understand their needs and to outline policies and best practices.
 - Harassment Transparency Reports: In 2021, the Civil Rights Directorate began publishing quarterly and annual data on reported harassment, including sexual harassment. The reports are available to the workforce for review on the intranet (CGPortal).
 - Management Directive (MD) 715 Reporting: MD-715 is a yearly report which mandates performing a regular review of agency policies and practices to ensure that barriers do not exist for the workforce. Although civilian in nature, this report aids in identifying workplace barriers that assist the workforce as a whole.
 - Compliance Reviews: Civil Rights Directorate performs reviews of workforce training compliance on an as needed basis to assess workforce readiness and address emergent shortfalls.
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17d. Does your Service have any measures in place to track career progression and promotion of servicewomen? If so, what are they and what are the trends?

- The Coast Guard does not track the career progression and promotion of each, unique servicemember.
 - The Coast Guard does track overall data and is able to disaggregate some career progression and promotion data to look at the trends over time.



17d. (continued). Does your Service have any measures in place to track career progression and promotion of servicewomen? If so, what are they and what are the trends?

- The following trends were found after reviewing Officer promotion data for promotion years 2017-2021:
 - In zone promotion rates of female officers to LCDR (O4) matches that of the total workforce.
 - In zone promotion rates of female officers up to CDR (O5) are consistently higher than the total workforce.
 - In zone promotion rates of female officers up to CAPT (O6) is generally comparable to the total workforce, but on average fewer than 25 female officers are IZ for CAPT each promotion year.



17d. (continued). Does your Service have any measures in place to track career progression and promotion of servicewomen? If so, what are they and what are the trends?

- The following trends were found after reviewing enlisted advancement data from 2017-2021:
 - Female advancement rate is comparable to the entire CG advancement rate across all ratings.
 - Females make up 14% of the current Active Duty enlisted population and accounted for 14% of all advancements over the last 5 years.



17e. Has your Service conducted or commissioned any surveys, studies, or taken other measures to solicit feedback from servicewomen about gender discrimination and its impact on their workplace and career experiences? If so, what were the findings?

- The Coast Guard conducted two studies with the RAND Corporation that solicited feedback from servicewomen about gender discrimination and its impact on their workplace and career experiences.
 - *Improving Gender Diversity in the U.S. Coast Guard. Identifying Barriers to Female Retention* was published in 2019.
 - *Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members* was published in 2021.



17e. (continued). Has your Service conducted or commissioned any surveys, studies, or taken other measures to solicit feedback from servicewomen about gender discrimination and its impact on their workplace and career experiences? If so, what were the findings?

- Findings from Improving Gender Diversity in the U.S. Coast Guard - Identifying Barriers to Female Retention (2019)
 - Although the study did not specifically focus on gender discrimination and its impact on the workplace, the topic was raised and reflected in the following finding:
 - Perceived gender bias and discrimination can make servicewomen feel less valued and not respected.



17e. (continued). Has your Service conducted or commissioned any surveys, studies, or taken other measures to solicit feedback from servicewomen about gender discrimination and its impact on their workplace and career experiences? If so, what were the findings?

- Findings from Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members (2021)
 - Although the study did not specifically focus on gender discrimination and its impact on the workplace the following findings reflect the topic:
 - Career development: Survey and focus group findings highlighted concerns about the assignment process, particularly for women and black enlisted personnel.
 - Climate: Survey and focus group findings highlight a lack of trust in leaders at all levels about diversity, equity, and inclusion (DEI) issues and about implementation of processes designed to protect against discrimination.

