



## UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

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The Director

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Memorandum For HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

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U.S. OFFICE OF PERSONNEL MANAGEMENT

Subject: Agency Opportunities to Establish Chief Diversity Officer or Diversity and Inclusion Officer Pursuant to Executive Order 14035, Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce

The Federal Government must be a model employer for workforce diversity, equity, inclusion, and accessibility (DEIA), to perform optimally and to attract, hire, develop, retain, and promote individuals who possess the skills and commitment to serve our nation. That starts by drawing on the wide variety of backgrounds, viewpoints, and lived experiences that the American people have to offer. Diversity is our greatest strength as a nation, and our greatest asset in the civil service. President Biden made this a clear priority in Executive Order 14035, Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce (EO 14035), which establishes DEIA as a Federal Government priority. In addition, President Biden recently issued the President's Management Agenda which further commits the Federal Government to implementing DEIA policies and practices, which in turn will strengthen and empower the federal workforce to best serve the American public.

EO 14035 establishes a whole-of-government initiative to embed DEIA in Federal hiring and employment practices. Executive Departments and Agencies share responsibility for advancing DEIA and for ensuring DEIA remains a priority component of the agency's management agenda and agency strategic planning. As the Director of the Office of Personnel Management (OPM), I am working with federal partners that include the Deputy Director of Management within the Office of Management and Budget (OMB), the Chair of the Equal Employment Opportunity Commission (EEOC) and other key stakeholders to re-establish a coordinated Government-wide Initiative to promote diversity and inclusion in the Federal workforce and expand its scope to specifically include equity and accessibility. The recently published Government-wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce defines operating principles for DEIA and identifies priorities for agency action. Agencies are also reminded of the obligation to implement EO 14035, including finalizing agency DEIA plans no later than March 23, 2022.

Agencies should elevate DEIA in their agencies. Execution of agency-specific DEIA plans will require leadership and accountability at the highest levels of agencies, cross-agency partnerships, data-driven approaches, transparency, and resource investments to ensure success. Under Section 4 of EO 14035, Executive Departments and Agencies are required to:

(f) seek opportunities to establish a position of chief diversity officer (CDO) or diversity and inclusion officer (DIO) (as distinct from an equal employment opportunity officer), with sufficient seniority to coordinate efforts to promote diversity, equity, inclusion, and accessibility within the agency.

In implementing Section 4(f), agencies are reminded to adhere to merit system principles and established staffing processes. At the same time, agencies should seek to establish a CDO or DIO who has the expertise and authority to effectively work with the head of the agency and influence senior officials across the whole of government. Agencies may prescribe titling for newly established CDO or DIO positions using organizational or unofficial titling. The [Introduction to the Position Classification Standards provides guidance for titling positions \(H. Titling Positions, 1, p. 14\)](#). Organizational/unofficial titling is appropriate for internal agency use or for recruiting purposes. OPM will review whether to create a more formal position classification series in the future. Additional considerations appear below:

Senior officials play an essential role in establishing strategic priorities and closing opportunity gaps. A CDO or DIO can play an instrumental role in closing DEIA opportunity gaps that have been identified through internal deliberative processes, external oversight findings, and promising practices. These officials may be charged with enhancing existing program effectiveness, driving accountability, and communicating the value of DEIA. In addition, Federal agencies may wish to utilize these officials to establish quarterly goals and actions that align with the Government-wide DEIA Strategic Plan, lead reporting to the President on the status of the agency's DEIA efforts and make available to the public information on efforts to advance DEIA in the agency's workforce.

Agencies should align expertise and resources to sustain progress over time. As noted in EO 14035, agencies must provide resources and opportunities to strengthen DEIA. CDO or DIO positions should be established as soon as practicable, in adherence with personnel policies and regulations, budget realignment processes, and internal governance processes. Agencies should utilize staffing flexibilities to ensure that incumbents have immediate and adequate resources available and should phase in long-term budget and staffing processes to ensure sustainability of these critical leadership roles.

Agencies should promote collaboration and coordination. Strengthening DEIA within the Federal government must be done in collaboration with an existing infrastructure such as, but not limited to, the offices of equal employment opportunity, human resources, budget, human capital, chief data, and information management. Agencies must foster internal collaboration and information-sharing to achieve overarching strategic DEIA priorities. Agencies should consider the seniority of key agency collaborators and support pay parity as well as similar organizational alignment as part of the process to determine the appropriate placement of the CDO or DIO. For example, pursuant to the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2019, the head of each Federal agency's EEO program must report directly to the agency head. Agencies should seek opportunities to comparably align CDOs or DIOs to report to the agency head and to most effectively coordinate and lead DEIA strategic priorities.

As noted in EO 14035, agency leaders are responsible for enhancing DEIA in collaboration with the agency's senior officials. While each agency will have unique considerations when seeking opportunities to establish a CDO or DIO, the inclusion of these officers in organizational decisions is essential.

Finally, OPM will create a forum to engage agency CDOs and/or DIOs, create learning opportunities, and provide technical assistance to agencies. OPM will also host learning events for stakeholders, including DEIA implementation team members, D&I practitioners, and EEO and HR practitioners. On January 11, 2022, from 1:00 - 2:00pm (EST), OPM's Office of Diversity, Equity, Inclusion and Accessibility will host a [webinar](#) to assist agencies in reimagining the role of the CDO and answer participant questions, submitted in advance through [AskDEIA@opm.gov](mailto:AskDEIA@opm.gov).

cc: Directors of Diversity & Inclusion

Directors of Equal Employment Opportunity

Chief Diversity Officers

Diversity, Equity, Inclusion, and Accessibility Team Leads

Directors of Human Resources and Human Capital