



District of Columbia Courts 2020 Annual EEO Report

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Executive Summary

The 2020 Equal Employment Opportunity (EEO) Report focuses on employees (n = 968) for whom the District of Columbia Courts (DC Courts) control the recruitment, hiring, and other terms and conditions of employment. Asians and Hispanics or Latinos are two protected groups identified for targeted recruitment in the 2018-2021 DC Courts' Affirmative Employment Program for Minorities and Women. Asians and Hispanics or Latinos comprise 5% and 9% of the DC Courts' employee workforce compared to 10% and 7% of their respective availability in the Washington Metropolitan area. In 2020, Asians represented 3% (3 individuals) of new hires compared to 2% in 2019. New hires who self-identified as Hispanic or Latino represented 21% of total new hires compared to 19% in 2019 with the same number of new hires (22 individuals).

For purposes of talent acquisition, the DC Courts received 7,528 job applications, competitively hired 104 new employees and promoted 27 employees. The percent of job applicants who self-identify as Asian has remained relatively steady between 6% (2019), 4% (2018) and 5% (2017) but decreased to 3% (2020). The percent of job applicants who self-identify as Hispanic or Latino has incrementally increased over the years: 2014 (9%), 2015 (14%), 2016 (16%), 2017 (16%), 2018 (19%), 2019 (14%) and 2020 (21%).

In 2020, 4% of employees separated from the workforce (n = 37) compared to 8% (n = 89) in 2019. As expected, since our workforce is predominately African-American and White it is reasonable that the separation of African-Americans and Whites is greater than other groups. Of the 2020 separations, 43% were African-American females and 27% were African-American males, which is below or slightly above the composition of the workforce for African-American females (48%) and African-American males (24%). White females separated at 14% (n = 5) and comprise 8% of the workforce. There were no separations of White males who comprise 4% of the workforce. Resignations accounted for 51% (n = 19) of the separations which is the highest percentage of total separations (n = 37).

In 2020, there were 7 corrective actions compared to 24 corrective actions issued in 2019. The percentage of corrective actions issued to African-Americans decreased from 79% (n = 19) in 2019 to 29% (n = 2) in 2020. In 2020, there were no EEO complaints filed and hence no findings of discrimination, retaliation, or harassment because of one's protected status. Finally, in an effort to increase diversity programming and fair employment practices, the EEO Office participated in and advised on special emphasis programs and the federal court model regarding employee dispute resolution programs.

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Introduction

The District of Columbia Courts have the pleasure of serving one of the most progressive and diverse metropolitan areas in our country. To our community, the DC Courts motto “Open to All, Trusted by All, Justice for All” reflects the diversity of the workforce and people we serve. The DC Courts together with its justice and community partners have many forums to focus on public access, equality, and opportunity. Internally, the Courts’ focus on equity, diversity and inclusion strives to implement those same values for our employees. The strength of the District of Columbia Courts’ Equal Employment Opportunity Program lies in our assessments of human capital decisions that affect DC Courts’ employees and job applicants attracted to court public service.

The Courts’ leadership is committed to the elimination of barriers that restrict the DC Courts from attracting and maintaining a talented workforce. The DC Courts’ message is that equal employment opportunity matters greatly and our mission is to illuminate just how equal opportunity and equal justice under the law matters in the workplace. In support of this message, we examine our workforce participation rates, especially that of minorities and women, for equality, opportunity, and fairness. Our goal is to use those same set of lenses to examine performance evaluations, awards, promotions, corrective actions, separations, and even wellness events and diversity program celebrations. To these ends, the District of Columbia Court’s Joint Committee on Judicial Administration, demonstrated leadership from the top and approved an Employee Dispute Resolution Plan to ensure, in Chief Justice John Robert’s words, “an exemplary workplace for every judge and every employee.”

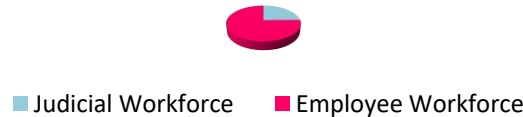
The DC Courts continue to make progress toward our Affirmative Employment Program for Minorities and Women. Asians and Hispanics or Latinos were two protected groups identified for targeted recruitment. In 2020, the DC Courts’ Asian and Pacific Islander application flow rate of 7% was slightly above the rate of 6% in 2019, 6% in 2018, 5% in 2017 and 4% in 2016. In 2020, Hispanics or Latinos participation in the employee workforce exceeded the benchmark for the Washington Metropolitan Area by two percentage points.

This EEO report covers the period January 1, 2020 through December 31, 2020. Here we examine our workforce participation rates, especially those of minorities and women, for equality, opportunity, and fairness. According to Policy 400 (II) of the Comprehensive Personnel Policy, this office (at least once annually) is to advise the Joint Committee on Judicial Administration and the Executive Officer of the status of equal employment opportunity activities, of any existing deficiencies, of the necessity for specific programs, and of the need for any changes in the Affirmative Action Plan.

2020 DC Courts' Total Workforce

Figure 1 reflects the total DC Courts' full-time workforce. Senior judges work part-time and are, therefore, not included. The workforce, in its simplest description, is comprised of the judicial (26%) and employee (74%) workforces. The information presented in the balance of this report pertains to the employee workforce, where the Courts' personnel policies are applicable and competitive recruitment practices are employed.

Figure 1: DC Courts' Total Workforce



The judicial workforce includes: judicial officers (n = 86), law clerks (n = 127) and judicial administrative assistants (n = 41). Ten employees or 3% of the judicial workforce self-identify as having a disability. Figures 2 and 3 provide racial and gender breakdown of our judicial workforce as: 7% Asian, 27% African-American, 7% Hispanic or Latino, 56% White, 1% two or more races, and 2% did not self-identify. The judicial workforce is 34% male and 66% female.

Figure 2: Total Judicial Workforce (Race)

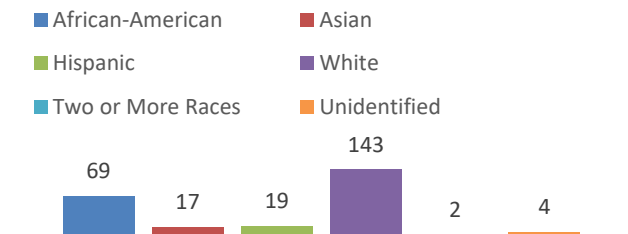
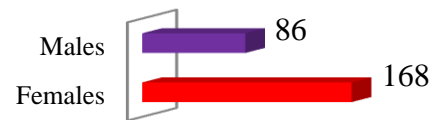


Figure 3: Total Judicial Workforce (Gender)



Figures 4 and 5 provide racial and gender breakdown of our employee workforce as: 5% Asian, 71% African-American, 9% Hispanic or Latino, 13% White, <1% American Indian or Alaskan Native, 1% two or more races and 1% unidentified. Twenty-eight or 3% of the employee workforce self-identify as having a disability. The employee workforce is 36% male and 64% female.

Figure 4: Total Employee Workforce (Race and Ethnicity)

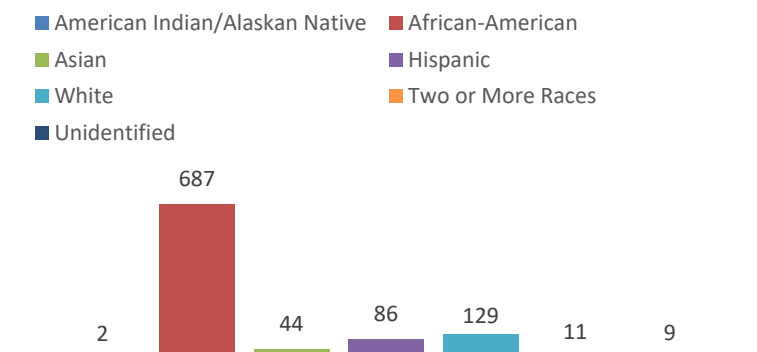
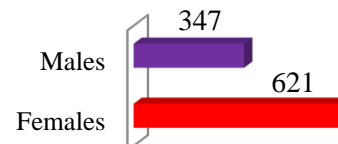


Figure 5: Total Employee Workforce (Gender)



2020 DC Courts' Employee Workforce

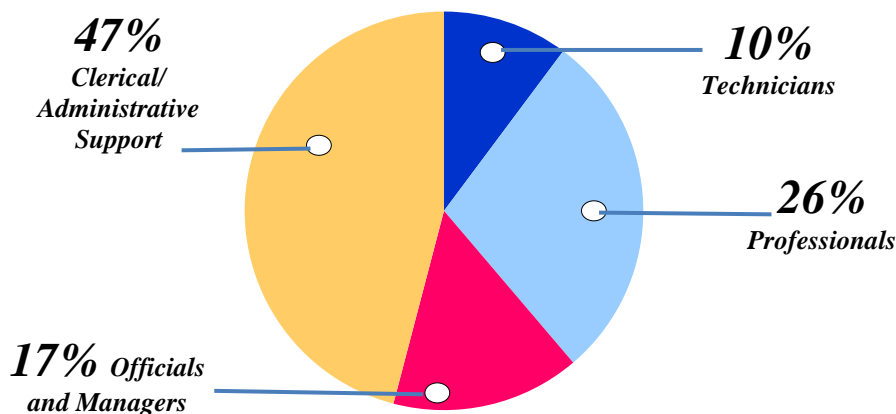
Table 1 below shows the labor participation rate by comparing the DC Courts 2020 workforce to that of the Washington Metropolitan Area (WMA) as reported in the 2010 U.S. Census. The comparison shows the racial demographics by the same four occupational categories included in the DC Courts. The Metropolitan area includes Washington, D.C. and parts of Maryland, Virginia and West Virginia.

Table 1: Labor Participation Rate¹

| Race | Washington Metropolitan Area | DC Courts' Workforce | 2020 ² Job Applicants | New ³ Hires |
|--------------------|------------------------------|----------------------|----------------------------------|------------------------|
| African-American | 23% | 71% | 58% | 57% |
| White | 60% | 13% | 19% | 18% |
| Hispanic or Latino | 7% | 9% | 14% | 21% |
| Asian | 10% | 5% | 7% | 3% |

The DC Courts employ 968 full-time employees. The DC Courts' employee workforce can be classified in the following occupational categories⁴: officials and managers at 17% (n = 173), professionals at 26% (n = 253), technicians at 10% (n = 88), and administrative and clerical support at 47% (n = 454).

Figure 6: Employee Workforce by Occupational Category



¹ Numbers may not total 100% due to rounding.

² This column excludes those who self-identified as American Indian or Alaskan Native and Two or More races.

³ This column excludes job applicants who did not report race.

⁴ The occupational categories are standard occupational classifications from the U.S. Department of Labor, Bureau of Labor Statistics.

DC Courts' Occupational Categories

The *officials and managerial* category includes employees who set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the courts' operation, or provide specialized consultation on a regional, district or area basis. For the DC Courts, the officials and managers category includes, but is not limited to: the Court Executive Service, Court Executive Management Service, deputy directors, program directors, senior managers, branch chiefs, managers, and supervisors.

The *professional* category includes employees who have specialized and theoretical knowledge usually acquired through college training or through work experience and other training that provide comparable knowledge. For the DC Courts, the professional category includes, but is not limited to: accountants, attorneys, contract specialists, information technology specialists, probation officers, and social workers.

The *technician* category includes those who have a combination of basic scientific or technical knowledge and manual skills that can be obtained through specialized post-secondary school education or through equivalent on-the-job training. For the DC Courts, the technician category includes, but is not limited to: computer operators, court reporters, and telecommunications specialists.

The *clerical and administrative support* category includes those workers who are responsible for recording and retrieval of data and information and other documents required in an office. This job category includes, but is not limited to: courtroom clerks, deputy clerks, and HR assistants.

Page 10 below provides the race and gender breakdown of the DC Courts' employee workforce by occupational categories. See Table 2: 2020 Workforce Availability and Utilization. The total number of employees reflected in Table 2 is 946 and does not include unidentified employees (n = 9), employees who have self-identified as American Indian or Alaskan Native (n = 2), or those of two or more races (n = 11). The DC Courts' participation rate of these individual groups is 1% or less.

Table 2: 2020 Workforce Availability and Utilization

| Job Categories | | African-American (Non-Hispanic) | | White (Non-Hispanic) | | Hispanic or Latinos | | Asian | | Subtotals | | Totals |
|--------------------------------|---------------------------|------------------------------------|--------|-------------------------|--------|---------------------|--------|-------|--------|-----------|---------|------------------------|
| | | male | female | male | female | male | Female | male | female | male | females | |
| Officials and Managers | # DC Courts | 51 | 68 | 17 | 15 | 5 | 8 | 3 | 4 | 76 | 95 | 171 |
| | % DC Courts | 29 | 40 | 10 | 9 | 3 | 5 | 2 | 2 | 44 | 56 | |
| | % Metro Area ⁵ | 8 | 11 | 38 | 27 | 4 | 3 | 5 | 3 | 55 | 44 | |
| | % Underutilization | 21 | 29 | -28 | -18 | -1 | 2 | -3 | -1 | -11 | 12 | |
| Professionals | # DC Courts | 71 | 94 | 15 | 31 | 9 | 8 | 11 | 7 | 106 | 140 | 246 |
| | % DC Courts | 29 | 38 | 6 | 13 | 4 | 3 | 4 | 3 | 43 | 57 | |
| | % Metro Area | 7 | 11 | 31 | 31 | 3 | 3 | 7 | 6 | 48 | 51 | |
| | % Underutilization | 22 | 27 | -25 | -18 | 1 | 0 | -3 | -3 | -5 | 6 | |
| Technicians | # DC Courts | 28 | 31 | 3 | 11 | 5 | 1 | 2 | 3 | 38 | 46 | 84 |
| | % DC Courts | 33 | 37 | 4 | 13 | 6 | 1 | 2 | 4 | 45 | 55 | |
| | % Metro Area | 11 | 19 | 26 | 22 | 3 | 3 | 7 | 7 | 47 | 51 | |
| | % Underutilization | 22 | 18 | -22 | -9 | 3 | -2 | -5 | -3 | -2 | 4 | |
| Clerical/Admin. Support | # DC Courts | 81 | 263 | 18 | 19 | 13 | 37 | 3 | 11 | 115 | 330 | 445 |
| | % DC Courts | 18 | 59 | 4 | 4 | 3 | 8 | 1 | 2 | 26 | 74 | |
| | % Metro Area | 10 | 24 | 13 | 33 | 3 | 7 | 3 | 5 | 29 | 71 | |
| | % Underutilization | 8 | 35 | -9 | -29 | 0 | 1 | -2 | -3 | -3 | 3 | |
| | Total | 231 | 456 | 53 | 76 | 32 | 54 | 19 | 25 | 335 | 611 | 946⁶ |
| | % Total | 24 | 48 | 6 | 8 | 3 | 6 | 2 | 3 | 35 | 65 | 100 |

Sources: US Census Bureau, Census 2010 special tabulation; DC Superior Court EEO Report

Note: The rows highlighted in orange reflect the benchmark for the Washington Metropolitan marketplace for available and qualified job candidates. The cells highlighted in blue reflect areas of underutilization for a protected category. For purposes of affirmative action, we focus on minorities and female participants.

⁵The Metro Area percentage represents the civilian labor force 16 years of age and older.

⁶ This table excludes those who self-identified as American Indian or Alaskan Native, Two or More Races and those who did not self-identify their race or ethnicity. The DC Courts employ two employees who have self-identified as American Indian or Alaskan Native. The DC Courts employs 11 employees who have self-identified as two or more races. The DC Courts employ 9 employees who did not identify their race or ethnicity.

DC Courts' Workforce Participation Rates

African-Americans. For 2020, the largest racial and national origin category in our employee workforce was African-Americans, who comprised approximately three-quarters (72%) of the workforce (n = 687). African-American females represented nearly half of the workforce (48% or 456) and African-American males comprised one-quarter of the workforce (24% or 231). African-American males and females are employed in the DC Courts significantly above the benchmark for the Metropolitan area (23%) in all occupational categories (see Table 1). The DC Courts' African-American participation rate is 69% in the official and managers category, 67% in the professional category, 70% in the technician category, and 77% in the clerical and administrative support category. African-American females exceeded the benchmarks from 18 (technician) percentage points to 35 (clerical) percentage points, while African American males exceeded the benchmarks from 8 (clerical) percentage points to 22 (technician) percentage points when compared to the Washington Metro Area (WMA) Labor Participation rates.

Whites. Whites were the second largest racial or national origin group and comprised 14% of the Courts' workforce (n = 129) in 2020, compared to 60% of the WMA labor market for the same occupational categories. The DC Courts' White participation rate is 19% in the officials and managers category, 19% in the professional category, 17% in the technician category, and 8% in the clerical and administrative support category. The Courts' White female participation rate is less than the expected representation in the Metropolitan area marketplace of available and qualified candidates. However, White females are not a protected group requiring affirmative action to address underutilization. The protected category is females in general, and the Courts' workforce data indicate no underutilization of females for 2020. In fact, the percentage of females in our workforce (64%) is greater than the percent of available females in the Metropolitan area labor pool as reported in the 2010 census (55%).

Hispanics or Latinos. The third largest racial and national origin workforce category at the Courts in 2020 consisted of Hispanics or Latinos, who participated at a rate of 9% (n = 86), which is more than the Washington area labor participation rate for Hispanics (7%). In 2020, the DC Courts' Hispanic or Latino participation rate is 8% in the officials and managers category, 7% in the professional category, 7% in the technician category, and 11% in the clerical and administrative support category. In 2020, the DC Courts experienced slight (-1%) underutilization of Hispanic or Latino males in the officials and managers category. Hispanic or Latino males exceed the benchmark in the technician and professional categories by three and one percentage points, respectively, and meet the benchmark in the clerical category. There was slight underutilization (-2%) of Hispanic or Latina females in the technician category. Hispanic or Latina females meet the benchmark in the professional category and exceed the benchmark by two and one points in the officials and managerial and clerical categories, respectively. In 2020, there was a net increase of twenty Hispanic or Latino employees.

Asians. For 2020, Asians participated in the Courts' workforce at a rate of 5% (n = 44) which is significantly below the Asian availability and utilization in the Metropolitan area for all occupational categories (10%). The DC Courts' Asian participation rate is 4% in the officials and managers category, 7% in the professional category, 6% in the technician category, and 3% in the clerical and administrative support category. Asian females were below the benchmark by 1 (Officials and Managers) to 3 (Clerical) percentage points, while Asian males were below the benchmark by 2 (Clerical) to 5 (Technicians) percentage points.

U.S. Census Race Definitions

“White” refers to a person having origins in any of the original peoples of Europe, the Middle East, or North Africa. It includes people who indicated their race(s) as “White” or reported entries such as Irish, German, Italian, Lebanese, Arab, Moroccan, or Caucasian.

“Black or African American” refers to a person having origins in any of the Black racial groups of Africa. It includes people who indicated their race(s) as “Black, African Am., or Negro” or reported entries such as African American, Kenyan, Nigerian, or Haitian.

“American Indian or Alaska Native” refers to a person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicated their race(s) as “American Indian or Alaska Native” or reported their enrolled or principal tribe, such as Navajo, Blackfeet, Inupiat, Yup’ik, or Central American Indian groups or South American Indian groups.

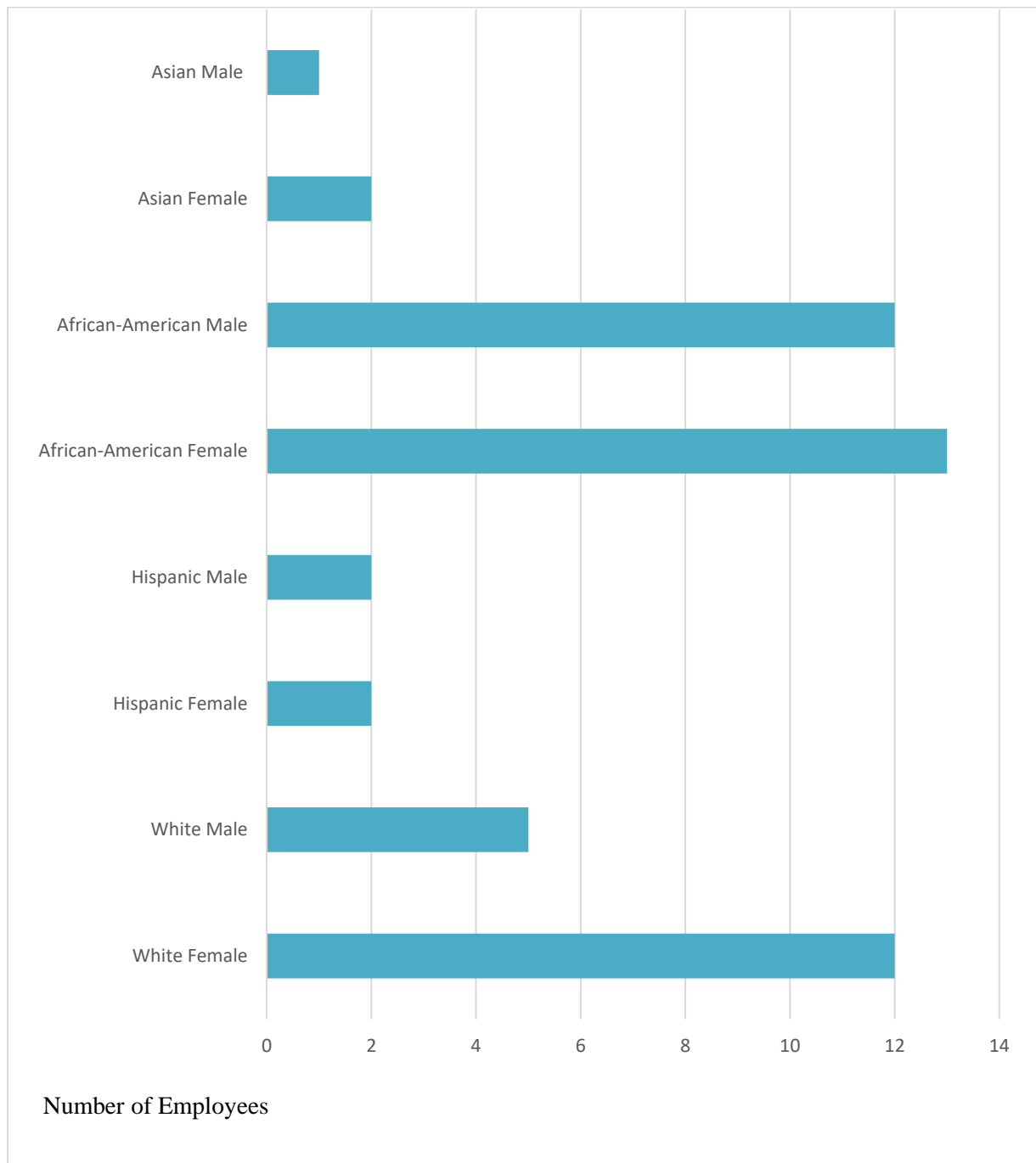
“Asian” refers to a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. It includes people who indicated their race(s) as “Asian” or reported entries such as “Asian Indian,” “Chinese,” “Filipino,” “Korean,” “Japanese,” “Vietnamese,” and “Other Asian” or provided other detailed Asian responses.

“Native Hawaiian or Other Pacific Islander” refers to a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. It includes people who indicated their race(s) as “Pacific Islander” or reported entries such as “Native Hawaiian,” “Guamanian or Chamorro,” “Samoan,” and “Other Pacific Islander” or provided other detailed Pacific Islander responses.

“Some Other Race” includes all other responses not included in the White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander race categories described above. Respondents reporting entries such as multiracial, mixed, interracial, or a Hispanic or Latino group (for example, Mexican, Puerto Rican, Cuban, or Spanish) in response to the race question are included in this category.

“Hispanic or Latino” refers to a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

Figure 7: DC Courts' Senior Managers (Grades 15 and Above)



2020 DC Courts' Applicant Flow Data

In 2020, the DC Courts received 7,528 job applications in response to vacancy announcements for 38 open positions. Of the 38 open postings, 18% (n = 7 positions) were posted for internal applicants only. For the seven internal job postings, 100% (n = 194) of all job applicants self-identified their race and gender. External job postings (82% or 31 positions) attracted 7,334 job applications and 80% (5,902) of those job applicants self-identified their race and gender. Therefore the overwhelming majority of job applicants (81% or 6,096 out of 7,528) reported their race and gender.

Of the total number of applicants who provided race information (6,096): 58% were African-American, 19% were White, 14% were Hispanic or Latino, 7% were Asian, 1% were American Indian or Alaskan Native, and 1% were identified as having two or more races. The 2020 breakdown of female to male applicants (64% vs. 36%) remained consistent when compared to 2019.

Asians and Hispanics or Latinos are two of the protected groups identified in the 2018-2021 DC Courts Affirmative Employment Program for Minorities and Women. Job applications submitted by Asians represented 7% of all applications. From 2014-2018, the DC Courts' applicant pool included a progressively larger proportion of self-identified Hispanics or Latinos: 9% in 2014, 14% in 2015, 16% in 2016 and 2017, and 20% in 2018. For the last two years (2019-2020), self-identified Hispanics or Latinos reflected the same proportion as that of 2015 (14%).

Table 3: 2020 Applicants Who Identified their Race and Gender

| | Male | Female | Total | |
|--------------------------------------------------|------|--------|-------------------|-------|
| White | 9% | 10% | 19% | 1,124 |
| African-American | 17% | 41% | 58% | 3,573 |
| Asian | 4% | 3% | 7% | 418 |
| Native Hawaiian or Other Pacific Islander | 0% | 0% | 0% | 4 |
| American Indian or Alaskan Native | 0% | 1% | 1% | 31 |
| Two or More Races | <1% | <1% | 1% | 84 |
| Hispanic or Latino | 5% | 9% | 14% | 862 |
| Total | 36% | 64% | 100% ⁷ | 6,096 |

⁷ Numbers may not total 100% due to rounding.

2020 Qualified Applicants

For the DC Courts, an applicant is determined to be “qualified” after satisfying the initial Human Resources Divisional (HR) review, which includes an examination of documentation to verify that the applicant’s education, experience, and/or certification and license meet the minimum qualifications of the job announcement. After the HR review, the qualified applications are forwarded to the hiring panel for further analysis and determination of applicant ranking as qualified, well qualified, or highly qualified. Across all races, 40% or more of applicants were rated as qualified through the HR review process.

Table 4: Percentage of Qualified Applicants Who Self-Identified Their Race

| Race | % Qualified | Total Applications Submitted |
|--------------------------------------------------|--------------------|-------------------------------------|
| White | 58% | 1,124 |
| African-American | 63% | 3,573 |
| Asian | 60% | 418 |
| Native Hawaiian or Other Pacific Islander | 75% | 4 |
| American Indian or Alaskan Native | 42% | 31 |
| Two or More Races | 79% | 84 |
| Hispanic or Latino | 67% | 862 |
| Total | | 6,096 |

2020 New Hires

Table 5: 2020 New Hires

| | Male | | Female | | Total | |
|-------------------------------------------|------|-----|--------|-----|-------|------|
| | N | % | N | % | N | % |
| White | 10 | 10% | 8 | 8% | 18 | 18% |
| African American | 18 | 17% | 42 | 40% | 60 | 57% |
| Asian | 1 | 1% | 2 | 2% | 3 | 3% |
| Native Hawaiian or Other Pacific Islander | 0 | 0% | 0 | 0% | 0 | 0% |
| American Indian or Alaska Native | 0 | 0% | 0 | 0% | 0 | 0% |
| Two or More Races | 0 | 0% | 1 | 0% | 1 | 1% |
| Hispanic or Latino | 3 | 3% | 19 | 18% | 22 | 21% |
| TOTAL ⁸ | 32 | 31% | 72 | 69% | 104 | 100% |

There were a total number of 104 new hires in 2020. Of the new hires, 57% were African-American, 21% were Hispanic or Latino, 18% were White, 3% were Asian and 1% were Two or More Races. Generally, the percent of new hires who self-identified as Asian decreased (from 9% in 2015, to 6% in 2016, to 9% in 2017, to 2% in 2018, to 8% in 2019, to 3% in 2020) and the actual number of Asians hired decreased in 2020 (from 5 individuals in 2015, to 6 in 2016, 9 in 2017, 2 in 2018, to 9 in 2019, to 3 in 2020).

The percentage of Hispanic or Latino new hires increased in 2020 (21% compared to 13% in 2019,

compared to 19% in 2018, compared to 16% in 2017) and was slightly below the figure for 2015 (22% of new hires). The 2020 African-American new hire percentage is 57%, which is an increase from 2019 (54%) and a decrease of nine percentage points (66%) from 2018 (compared to 47% in 2017, 55% in 2016, and 60% in 2015). The actual number of newly hired African-Americans (n = 60) decreased by four employees in 2019 (n = 64). The percentage of White new hires in 2020 (18%) decreased by 6 percentage points in 2019 (24%) (compared to 13% in 2018, 15% in 2017, 21% in 2016 and 7% in 2015).

⁸ Numbers may not total 100% due to rounding.

2020 Promotions

Table 6: 2020 Promotions

| | Male | | Female | | Total | |
|-------------------------------------------|------|-----|--------|-----|-------|------|
| | N | % | N | % | N | % |
| White | 2 | 7% | 5 | 19% | 7 | 26% |
| African American | 4 | 15% | 9 | 33% | 13 | 48% |
| Asian | 1 | 4% | 0 | 0% | 1 | 4% |
| Native Hawaiian or Other Pacific Islander | 0 | 0% | 0 | 0% | 0 | 0% |
| American Indian or Alaska Native | 0 | 0% | 0 | 0% | 0 | 0% |
| Two or More Races | 0 | 0% | 0 | 0% | 0 | 0% |
| Hispanic or Latino | 1 | 4% | 5 | 19% | 6 | 22% |
| TOTAL ⁹ | 8 | 30% | 19 | 70% | 27 | 100% |

There were a total of 27 competitive promotions for 2020. Of the employees promoted, 48% were African-American, 26% were White, 22% were Hispanic or Latino and 4% were Asian (for the purpose of EEO reporting, promotions described in Table 6 are competitive promotions only – they do not include career-ladder promotions or temporary acting promotions).

⁹ Numbers may not total 100% due to rounding.

2020 Separations

Table 7: 2020 Separations

| Separations | 2016 | 2017 | 2018 | 2019 | 2020 |
|------------------------|-----------|-----------|-----------|-----------|-----------|
| Resignations | 38 | 26 | 31 | 43 | 19 |
| Medical Separations | 2 | 0 | 1 | 1 | 0 |
| Retirements | 22 | 31 | 35 | 44 | 17 |
| Terminations for Cause | 6 | 4 | 4 | 1 | 1 |
| Total | 68 | 61 | 71 | 89 | 37 |

In 2020, 37 employees (4% of the employee workforce) separated from the Courts, which is below the separation rate of 2019 (8% of the workforce). Resignations (n = 19) represented the majority of the separations. Of the 37 separations, 46% retired, 51% resigned and 3% was terminated. Additionally, 68% (n = 25) of separations were female and 32% (n = 12) were male (their distribution in the workforce is 64% and 36% respectively). The racial and national origin of separated employees follows: Asian 8% (n = 3), African-American 70% (n = 26), Hispanic or Latino 8% (n = 2) and White 16% (n = 6).

African-American females at 43% (n = 16) and African-American males at 27% (n = 10) were the largest groups who separated during 2020. African-American females separated below their composition of the workforce which is 48%. African-American males separated slightly above their composition of the workforce. The separation of White females at 14% (n = 5) is above their composition of the workforce (8%). One White male separated at 3% which is below the White male composition of the workforce (4%). The separation of Hispanic or Latino females at 5% (n = 2) is slightly below their workforce composition (6%). The separation of an Asian male at 3% (n = 1) and Asian females at 5% (n = 2) is slightly above their composition of the workforce at 2% and 3% respectively.

Table 8: 2020 Separation by Type

| | Retired | | Resigned | | Terminated | | Total Separated | | Population | |
|----------------------------|-----------|-----|-----------|-----|------------|------|-----------------|-----|------------|-----------------|
| | N | % | N | % | N | % | N | % | N | % of Population |
| Asian Females | 1 | 6% | 1 | 5% | 0 | 0% | 2 | 5% | 25 | 3% |
| Asian Males | 1 | 6% | 0 | 0% | 0 | 0% | 1 | 3% | 19 | 2% |
| African-American Females | 9 | 53% | 7 | 37% | 0 | 0% | 16 | 43% | 456 | 48% |
| African-American Males | 3 | 18% | 7 | 37% | 0 | 0% | 10 | 27% | 231 | 24% |
| Hispanic or Latino Females | 0 | 0% | 1 | 5% | 1 | 100% | 2 | 5% | 54 | 6% |
| Hispanic or Latino Males | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 32 | 3% |
| White Females | 3 | 18% | 2 | 11% | 0 | 0% | 5 | 14% | 76 | 8% |
| White Males | 0 | 0% | 1 | 5% | 0 | 0% | 1 | 3% | 53 | 6% |
| Total | 17 | | 19 | | 1 | | 37 | | 946 | |

| | |
|--|-----------------------|
| | Less than expected |
| | Greater than expected |

2020 Corrective Actions

Among nearly 1,000 employees, there were 7 corrective actions imposed in 2020. This was a decrease of 17 corrective actions in comparison to 2019. Corrective actions in 2020 ranged from letters of reprimand (n, 2 or 29% of corrective actions); 1 day suspension (n = 1 or 14%); 2 day suspension (n = 2 or 29%); 5 day suspension (n = 1 or 14%) and termination (n = 1 or 14%). Female employees received corrective actions at a rate lower than their (43% vs. 64%) composition of the workforce. Male employees received corrective actions at a higher rate than their composition of the workforce (57% vs. 36%).

Table 9: 2020 Corrective Actions

| | Corrective Actions | | Population | |
|-------------------------------------------------------------------------------------------------------------------------|--------------------|---|------------|-----|
| | % | N | % | N |
| Females | 43% | 3 | 64% | 611 |
| Males | 57% | 4 | 36% | 335 |
| | | | | |
| African-American males | 14% | 1 | 24% | 231 |
| African-American females | 14% | 1 | 48% | 456 |
| Asian females | 0% | 0 | 2% | 19 |
| Asian males | 20% | 2 | 2% | 25 |
| Hispanic males | 14% | 1 | 3% | 32 |
| Hispanic females | 29% | 2 | 6% | 54 |
| White males | 0% | 0 | 13% | 53 |
| White females | 0% | 0 | 13% | 76 |
| TOTAL | | 7 | | |
| <i>Caution should be used when interpreting these percentages due to the small number of individuals in this group.</i> | | | | 946 |

Corrective action data was evaluated based on employee race, gender, and occupational categories. The percentage of corrective actions issued to African-American employees at 29% (n = 2) decreased by fifty percentage points compared to 79% (n = 19) in 2019. The proportion of corrective actions issued to an African-American male at 14% (n = 1) and female at 14% (n = 1) is lower than would be expected based on their composition of the workforce at 24% and 48%, respectively. Corrective actions issued to Hispanic or Latino males at 14% (n = 1) and females at 29% (n = 2) is higher than would be expected given their composition of the workforce 3% and 6%, respectively. Similarly, corrective actions issued to Asian males at 29% (n = 2) is higher than would be expected given their composition of the workforce (2%). Whites received no corrective actions and comprise 13% of the workforce. The relationship between corrective actions issued and occupational categories are as follows: 57% (n = 4) were clerical/administrative, 29% (n = 2) were managerial, and 14% (n = 1) were professional. However, caution should be used when interpreting these percentages due to the small number of individuals in this group.

The DC Courts' EEO Office and Other Workplace Cultural and Inclusive Activities

The focus of this section highlights 2020 accomplishments and identifies further actions to advance a model EEO Program. The EEO Office maintains an effective EEO program by ensuring that employees and job applicants are protected from unlawful discrimination by resolving issues at the lowest level possible. Through Comprehensive Personnel Policies 400, 410 and 420, the DC Courts' EEO Office's primary mission is to enforce equal employment law and employment protected categories under the District of Columbia's Human Rights Act of 1977. In 2020, 22 employees sought counsel from the EEO Office. There were no EEO complaints filed in 2020 and therefore no findings of discrimination, retaliation or harassment were made.

Out of the 22 employee matters brought to the attention of the EEO Office, two bullying complaints were filed and twenty consultations or inquiries were made regarding bullying-related conflicts. In response to the two bullying complaints filed in 2020, there were no findings of bullying made pursuant to the Courts' Anti-Bullying Personnel Policy 420. Six employees sought counsel in response to performance management issues (including employee improvement plans). Reasonable cause determinations did not have to be made in response to twenty bullying matters because those conflicts were resolved through consultations (n = 9) or informal resolutions (n = 11).

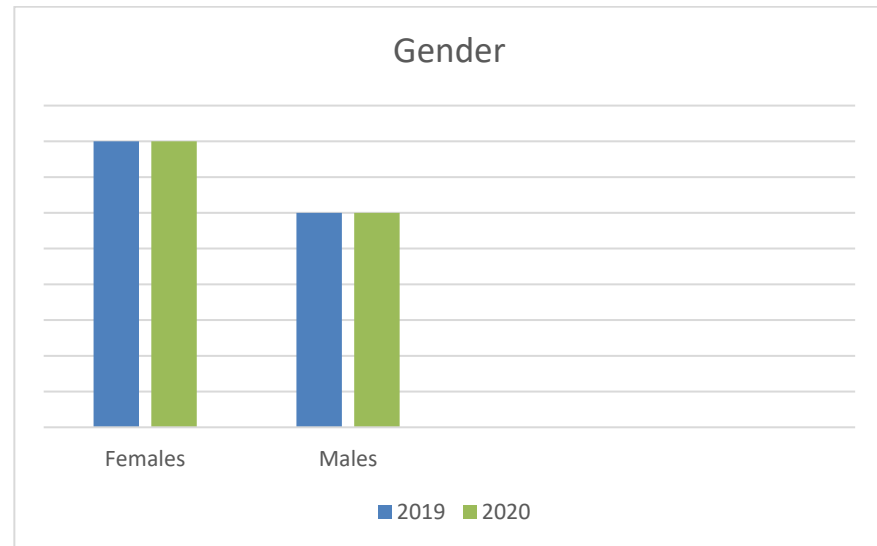
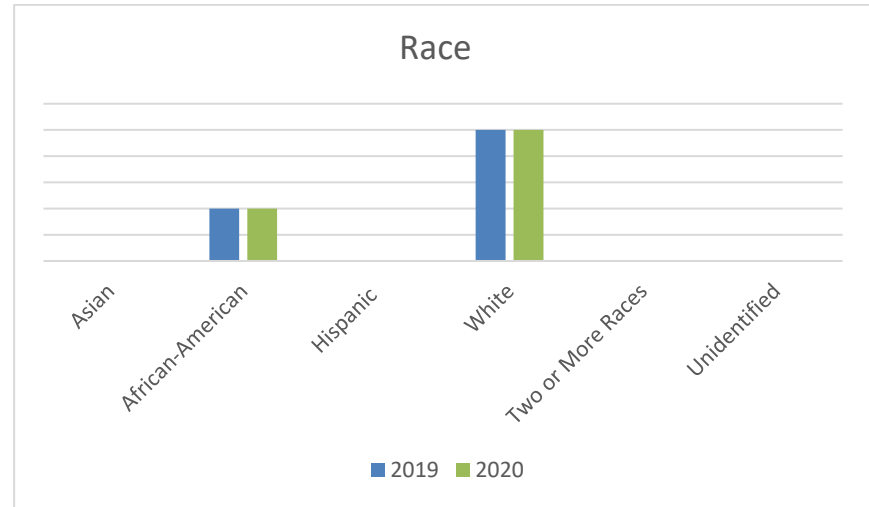
The DC Courts have promoted transparency in employee education about EEO rights and accountability for employee actions or behavior. It is mandated that employees take a course on EEO law and sexual harassment before their probationary period is completed. The Courts celebrated the fourth annual Asian American and Pacific Islander Heritage Month, in addition to Black History Month and Hispanic Heritage Month and other special emphasis programs, to further inclusion and cultural awareness.

The Courts continued its mental health initiative under the Working on Wellness (WOW) umbrella to promote employee mental health, mental disability awareness and to foster a positive mental health culture. In response to COVID-19 crisis management, the March edition of the Mental Health Advisory Council Newsletter included topics on: The Business Case for Developing Coping Strategies, Acute Stress and Grief, The Power of Debriefing: Fluid and Flexible Teams, Human Kindness in Humanitarian Crises, Reflective Journaling, Helping the Adolescent Gamer in Your Life and a Slow Breathing Exercise. In response to the World Health Organization's March declaration of a global pandemic and in the interest of employee emotional well-being, the MHAC Committee made nearly 1,000 warm telephone calls and forwarded over 1,000 direct and resourceful emails. In collaboration with the Human Resources Division, the Mental Health Advisory Committee hosted virtual Employee Assistance Program presentations that covered the following topics: Stress Management, Anxiety, Domestic Violence Effects on the Workplace, Ups and Downs of the Holiday Season, Civility and three Supervisory EAP orientations.

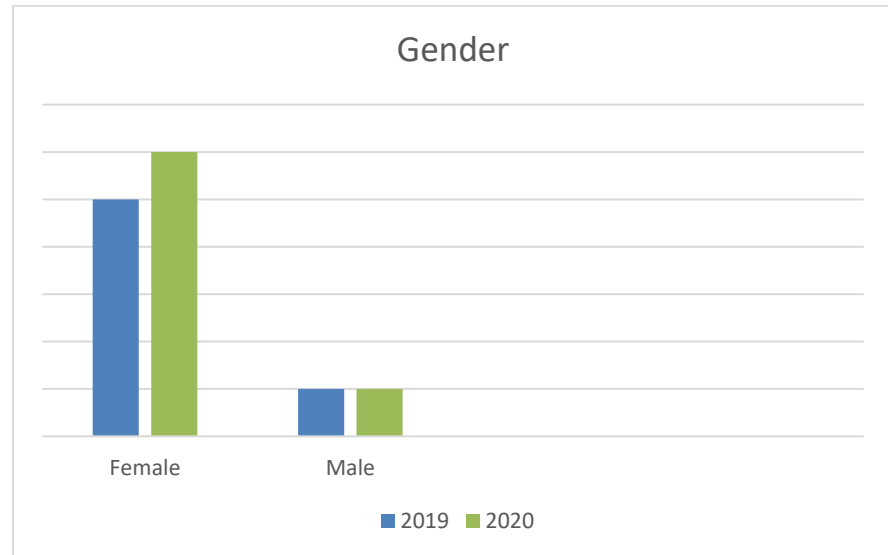
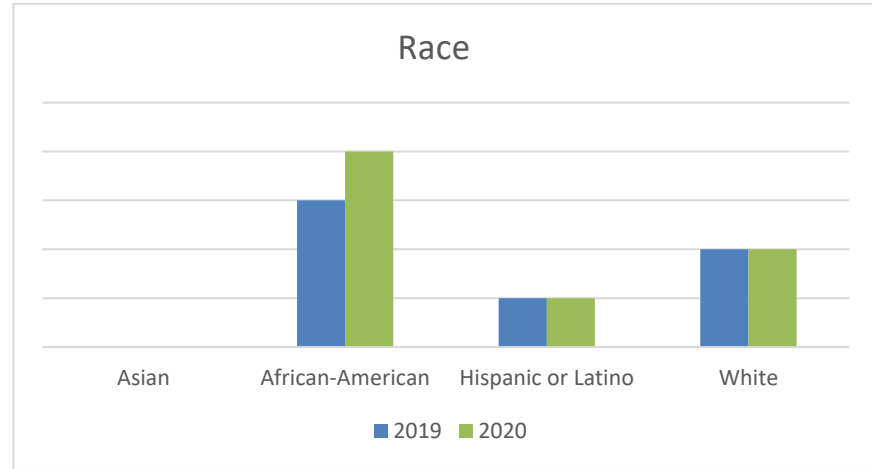
To recognize employees and promote a positive workplace culture, the Courts held its first virtual Employee Recognition and Awards Ceremony to champion *Resilient Court Action: Strengthened by Our Talented and Tenacious Workforce*. Over 165 employees were recognized for exceptional job performance through special tributes, retirements, length of service acknowledgements, and special achievement awards. Employees were honored for leadership and excellence in implementing high levels of reimagined courtroom customer service, converting an in-person hearing model into 78 remote courtrooms, enhancing innovation toward procedural fairness for *pro se* litigants' understanding of court processes and accessibility of court services, and making significant impact during multiple legal and administrative job details. The program was memorialized through an E-Program Booklet and video. The live event was attended by 593 employees, the announcement posting and E-Program booklet received 4,510 views and the second video posting received 545 views.

Appendix: DC Courts' Judicial Workforce Demographics

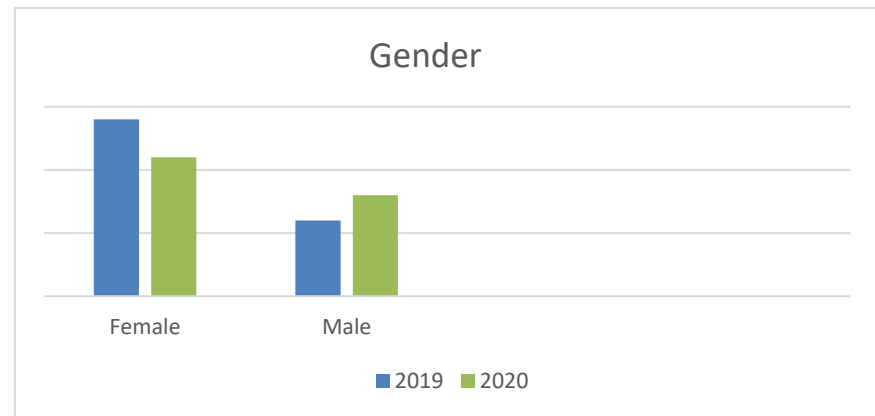
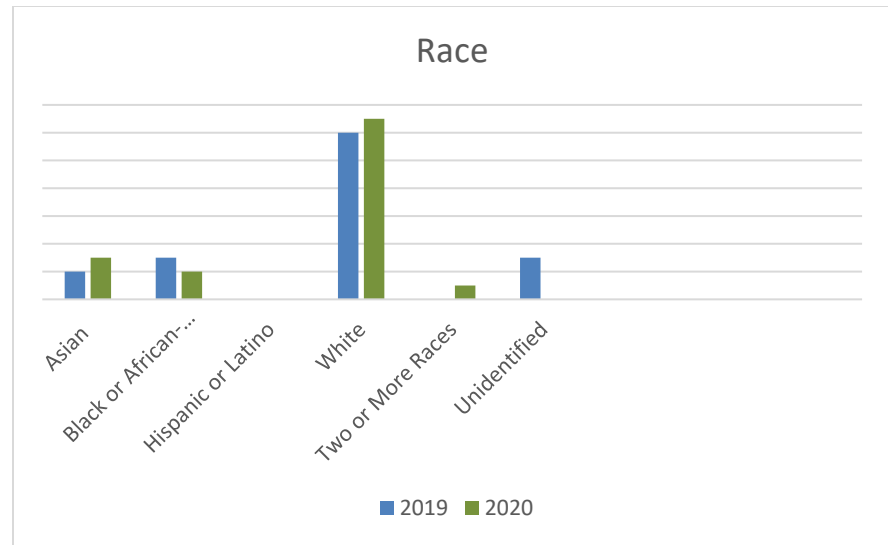
| Court of Appeals Judicial Officers* (Race) | 2019 | % | 2020 | % |
|-----------------------------------------------|----------|-------------|----------|-------------|
| Asian | 0 | 0% | 0 | 0% |
| Black or African-American | 2 | 29% | 2 | 29% |
| Hispanic or Latino | 0 | 0% | 0 | 0% |
| White | 5 | 71% | 5 | 71% |
| Two or More Races | 0 | 0% | 0 | 0% |
| Unidentified | 0 | 0% | 0 | 0% |
| Total | 7 | 100% | 7 | 100% |
| Females | 4 | 57% | 4 | 57% |
| Males | 3 | 43% | 3 | 43% |
| Total | 7 | 100% | 7 | 100% |



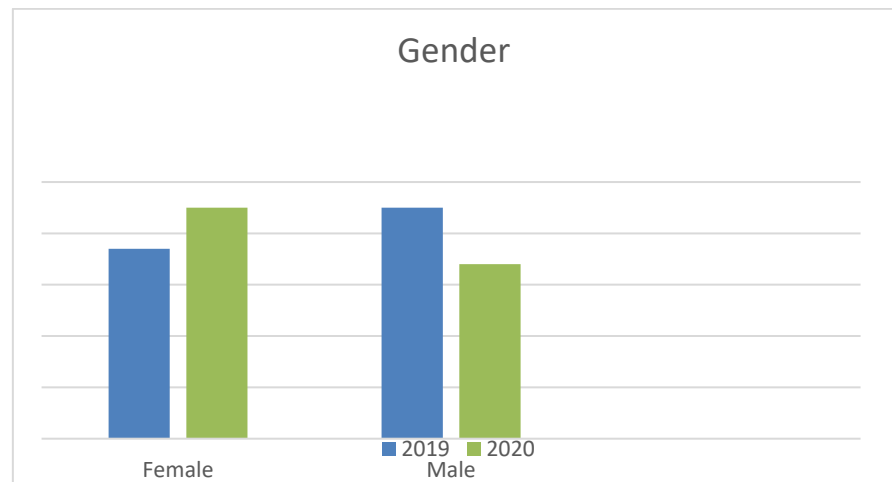
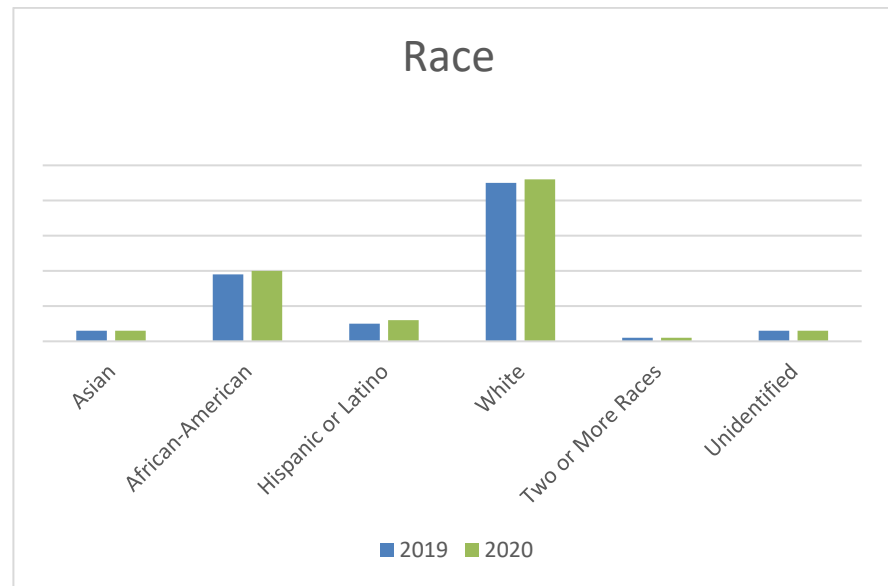
| Court of Appeals Judicial Administrative Assistants (Race) | 2019 | % | 2020 | % |
|------------------------------------------------------------------|------|------|------|------|
| Asian | 0 | 0% | 0 | 0% |
| Black or African-American | 3 | 50% | 4 | 57% |
| Hispanic or Latino | 1 | 17% | 1 | 14% |
| White | 2 | 33% | 2 | 29% |
| Two or More Races | 0 | 0% | 0 | 0% |
| Unidentified | 0 | 0% | 0 | 0% |
| Total | 6 | 100% | 7 | 100% |
| Female | 5 | 83% | 6 | 86% |
| Male | 1 | 17% | 1 | 14% |
| Total | 6 | 100% | 7 | 100% |



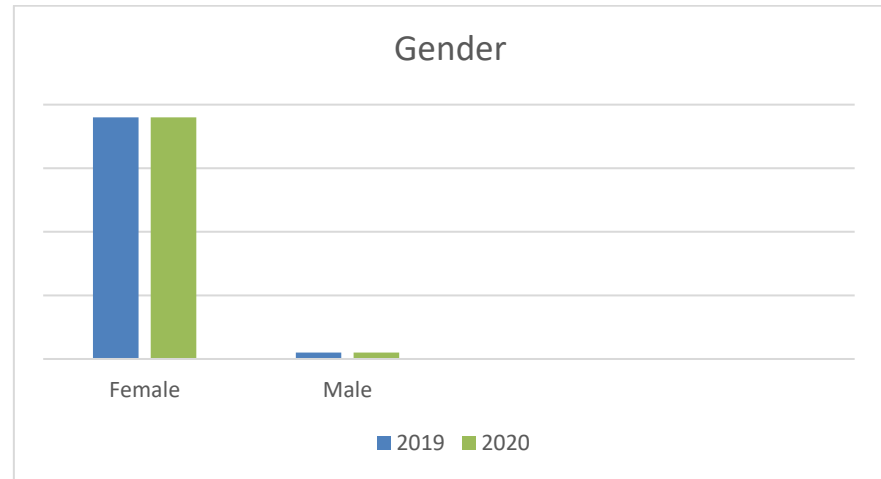
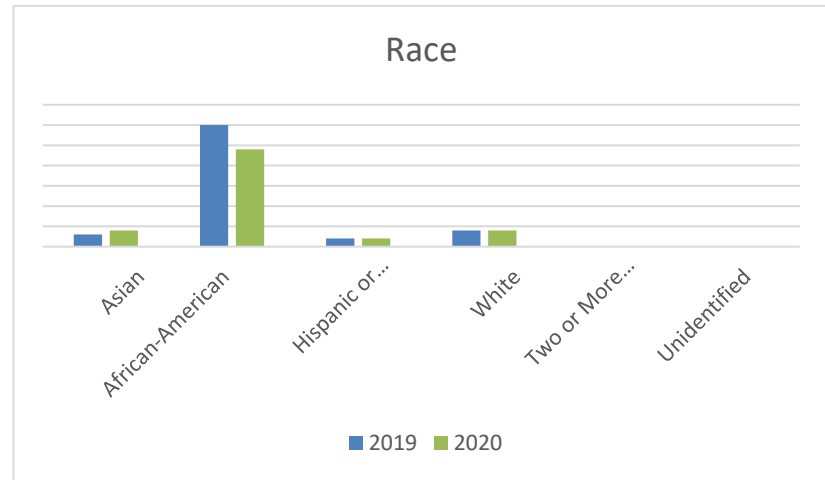
| Court of Appeals Law Clerks (Race) | 2019 | % | 2020 | % |
|------------------------------------|-----------|-------------|-----------|-------------|
| Asian | 2 | 10% | 3 | 16% |
| Black or African-American | 3 | 15% | 2 | 11% |
| Hispanic or Latino | 0 | 0% | 0 | 0% |
| White | 12 | 60% | 13 | 68% |
| Two or More Races | 0 | 0% | 1 | 5% |
| Unidentified | 3 | 15% | 0 | 0% |
| Total | 20 | 100% | 19 | 100% |
| Female | 14 | 70% | 11 | 58% |
| Male | 6 | 30% | 8 | 42% |
| Total | 20 | 100% | 19 | 100% |



| Superior Court Judicial Officers (Race and Gender) | 2019 | % | 2020 | % |
|----------------------------------------------------------|------|------|------|------|
| Asian | 3 | 4% | 3 | 4% |
| Black or African-American | 19 | 25% | 20 | 25% |
| Hispanic or Latino | 5 | 7% | 6 | 8% |
| White | 45 | 59% | 46 | 58% |
| Two or More Races | 1 | 1% | 1 | 1% |
| Unidentified | 3 | 4% | 3 | 4% |
| Total | 76 | 100% | 79 | 100% |
| Female | 31 | 41% | 45 | 57% |
| Male | 45 | 59% | 34 | 43% |
| Total | 76 | 100% | 79 | 100% |



| Superior Court Judicial Administrative Assistants (Race and Gender) | 2019 | % | 2020 | % |
|------------------------------------------------------------------------------|------|------|------|------|
| Asian | 3 | 8% | 4 | 12% |
| Black or African-American | 30 | 77% | 24 | 70% |
| Hispanic or Latino | 2 | 5% | 2 | 6% |
| White | 4 | 10% | 4 | 12% |
| Two or More Races | 0 | 0% | 0 | 0% |
| Unidentified | 0 | 0% | 0 | 0% |
| Total | 39 | 100% | 34 | 100% |
| Female | 38 | 97% | 33 | 97% |
| Male | 1 | 3% | 1 | 3% |
| Total | 39 | 100% | 34 | 100% |



| Superior Court Law Clerks (Race and Gender) | 2019 | % | 2020 | % |
|------------------------------------------------|------|------|------|------|
| Asian | 10 | 9% | 7 | 6% |
| Black or African-American | 23 | 21% | 17 | 16% |
| Hispanic or Latino | 11 | 10% | 10 | 9% |
| White | 64 | 58% | 73 | 68% |
| Two or More Races | 1 | 1% | 0 | 0% |
| Unidentified | 1 | 1% | 1 | 1% |
| Total | 110 | 100% | 108 | 100% |
| Female | 74 | 67% | 69 | 64% |
| Male | 36 | 33% | 39 | 36% |
| Total | 110 | 100% | 108 | 100% |

