



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer and
Assistant Secretary for Administration
Washington, D.C. 20230

MEMORANDUM FOR: Secretarial Officers
Operating Unit Heads

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FROM: Jeremy Pelter JEREMY PELTER
Deputy Assistant Secretary for Administration, performing the non-
exclusive functions and duties of the Chief Financial Officer and
Assistant Secretary for Administration

SUBJECT: Incorporating New Department of Commerce Diversity, Equity,
Inclusion and Accessibility language in Fiscal Year 2024
Performance Plans for All Non-Executive Employees

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Date: 2023.10.16 09:10:29 -04'00'

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Date: 2023.10.19 16:48:00 -04'00'

The Office of Human Resources Management (OHRM) and Office of Civil Rights (OCR) have partnered to develop and implement Departmental Diversity, Equity, Inclusion and Accessibility (DEIA) language for supervisor and employee performance plans in Fiscal Year 2024 (FY24). This partnership builds upon the preliminary work initiated by OHRM and OCR in prior years and culminated with the establishment of DEIA standards through a working group consisting of performance management professionals from across the Department. The workgroup has ensured that the new objectives and measures cascade down from the Department's Strategic Plan, into our Senior Executive Service (SES) and Senior Professional (ST/SL) performance plans, and ultimately into supervisor and employee performance plans.

The inclusion of DEIA activities in a performance plan and critical element signifies that these duties are of such importance that acceptable performance in these activities are required for acceptable performance in the position. The attached implementation guidance explains where and how the standardized DEIA language must be incorporated into performance plans.

The new DEIA performance goals and objectives must be issued in FY24 performance plans to non-bargaining unit employees no later than November 29, 2023, and to bargaining unit employees after bureaus satisfy any labor-management relations' obligations they may have on these matters. Supervisors should utilize their FY24 planning period as an opportunity to incorporate these updates.

Please disseminate this information to your serviced workforce for immediate implementation. If you have any questions, please contact your servicing Human Resources Office.

Attachment: FY24 DOC DEIA Performance Language Implementing Guidance

cc: Principal Human Resources Managers

Department of Commerce
Diversity, Equity, Inclusion and Accessibility (DEIA)
Performance Language Implementing Guidance

Effective: Fiscal Year 2024

Purpose:

To establish guidance outlining the process to include standardized Diversity, Equity, Inclusion and Accessibility (DEIA) language in performance plans for supervisors and employees at the Department of Commerce (DOC).

The purpose is to set the tone for encouraging each bureau to instill DEIA as a value in its culture, and thus a value of the Department at-large. And by incorporating this language on every DOC employee performance plan, it will make a significant impact in furthering the agency's vision of "valuing, fostering, and leveraging diversity and inclusion to ensure operational excellence."

Background:

The Department's [DEIA Strategic Plan](#) provides a roadmap for elevating DEIA across the enterprise with the objective of creating a workforce and an economy that includes and benefits all Americans. This builds upon the preliminary work initiated by the Department's Office of Human Resources Management (OHRM) in prior years and is a product of the Office of Civil Rights' (OCR) collaboration with the established DEIA Council, Bureaus, employee and affinity resource groups, and other stakeholders. This collaboration resulted in the development of strategic goals, objectives, actions, and performance metrics that will drive the implementation, monitoring, and enforcement of DEIA policies and programs for years to come. The OCR and OHRM will continue to lead the implementation of DEIA at the Department in collaboration with the DEIA Council and its Committees.

The [DOC Strategic Plan](#) was finalized and introduced to employees in March 2022. Many of the goals and objectives in the plan tie directly to performance expectations regarding DEIA practices for supervisors and employees. For supervisors, this comes in their role as hiring managers, mentors, and coaches. For employees, this is evident as being peers and colleagues to one another, in fostering an environment that is conducive to making the workplace a great place to belong. Specifically, DOC Strategic Goal 2, Objectives 2.1 and 2.2 and Goal 5, Objectives 5.2 and 5.3 encapsulates this message:

In March 2023, the Department's Secretarial Officers and Operating Unit Heads received a memorandum with instructions on aligning Senior Executive Service (SES) and Senior Professional (ST/SL) performance plans with DEIA standards by April 30, 2023. A working group was assembled to develop language for addressing allegations of discrimination, harassment, and all other inappropriate behaviors. A menu of DEIA language was developed with the option to select at least one (1) of eight (8) DEIA measures for SES and ST/SL employees within the Leading People performance element.

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In May 2023, a similar working group was assembled, consisting of performance management professionals from across the Department, with the goal of developing standardized DEIA language for supervisory and employee performance plans. The workgroup has ensured that the new objectives and measures cascade down from the Department's Strategic Plan, into our SES and ST/SL performance plans, and ultimately into supervisor and employees performance plans. The overall result of this work and collaboration is provided in the implementing guidance provided below.

Responsibilities:

1. Rating Official: To create an employee performance plan that includes standardized DEIA language in the appropriate element.
2. Approving Official: To review and approve an employee's performance plan that includes standardized DEIA language in the appropriate element.
3. Employee: To perform customer service, leadership/management, and/or specifically designated performance element duties in line with DEIA principles, as prescribed in their performance plan.

Guidance:

A critical element is a component of an employee's job consisting of one or more duties and responsibilities, which contributes toward accomplishing organizational goals and objectives. The inclusion of DEIA activities in a critical element signifies that these duties are of such importance that acceptable performance in these activities are required for acceptable performance in the position. Critical elements reflect an employee's major duties and responsibilities and must be consistent with current job assignments and with the level of duties described in the employee's position description.

A weight must be assigned to each critical element in alignment with the performance management system's policy and on the basis of the importance of the element and/or the time required to accomplish it. The weight for each element should reflect the significance of that task/program/project within the framework of the Department's or bureau's organizational goals. The total weight for all critical elements must equal 100 percent.

Process:

The standardized DEIA language must be incorporated into the Customer Service and/or Leadership/Management performance element(s) of a General Schedule (GS) and Federal Wage System (FWS) employee's performance plan. Similarly, the standardized DEIA language must also be incorporated into an existing critical element of a Commerce Alternative Personal System (CAPS) or Alternative Personal Management System (APMS) employee's performance plan. When including DEIA language in an employee's performance plan, enter the information below in the critical element as appropriate:

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1. Cascaded Organizational Goals
 - Select Strategic Goal
 - Select Strategic Objective
 - Enter Bureau/Operating Unit Goal
 - Enter SES/Organizational Goal/SES Performance Requirement

These entries will vary based on which element the language is incorporated into and the employee's position of record.

2. Critical Element, Objective, and Element Weight.

These entries will vary based on which element the language is incorporated into and the employee's position of record.

3. Major Activities or Required Results Related to Above Element

Option 1 – For GS/FWS employees, in the Customer Service performance element.

Result of Major Activity:

• Customer service is provided in collaboration, consultation, and partnership with colleagues and internal and external customers, which creates an environment that is welcoming, respectful, and supportive of diversity, equity, inclusion, and accessibility (DEIA) in the Department. Professional relationships and interactions with key stakeholders are maintained to advance [Insert Bureau Name] interests.

Credible Measure:

• Provides effective support in advancing leadership and management DEIA initiatives within areas of responsibility; consistently makes work products accessible; and equitably delivers programs and services aligned with DEIA principles.

Option 2 – For GS/FWS supervisors, in the Leadership/Management performance element.

Result of Major Activity:

• Support is aligned with advancing leadership's diversity, equity, inclusion, and accessibility (DEIA) responsibilities, as defined in the DOC and/or (insert bureau) DEIA Strategic Plan. Participate in and/or lead efforts that contribute to an organizational culture of equity, inclusion, accessibility, and a workplace where diversity and individual differences are valued and leveraged to achieve the vision and mission of the Department.

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Credible Measure:

- *Model and foster a safe, inclusive, fair, and impartial work environment; follow appropriate procedures for addressing allegations of discrimination, harassment, and all other unacceptable behaviors.*

- *[Insert specific support activity(ies) to be performed and/or assigned, correlating to this performance requirement.]*

Option 3 – For CAPS/APMS employees, to be incorporated into a critical element of choice.

Result of Major Activity:

- *Collaborate and partner with colleagues and customers to help create an environment that is welcoming, respectful, and supportive of diversity, equity, inclusion, and accessibility in the Department.*

Credible Measure:

- *Provides effective support in advancing leadership and management DEIA initiatives within areas of responsibility; consistently makes work products accessible; and equitably delivers programs and services aligned with DEIA principles.*

Option 4 – For CAPS/APMS supervisors, to be incorporated into a critical element of choice.

Result of Major Activity:

- *Support is aligned with advancing leadership's diversity, equity, inclusion, and accessibility (DEIA) responsibilities, as defined in the DOC and/or (insert bureau) DEIA Strategic Plan. Participate in and/or lead efforts that contribute to an organizational culture of equity, inclusion, accessibility, and a workplace where diversity and individual differences are valued and leveraged to achieve the vision and mission of the Department.*

Credible Measure:

- *Model and foster a safe, inclusive, fair, and impartial work environment; follow appropriate procedures for addressing allegations of discrimination, harassment, and all other unacceptable behaviors.*

- *[Insert specific support activity(ies) to be performed and/or assigned, correlating to this performance requirement.]*

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Supervisory Support Activity: Select at least one support activity to be inserted as a credible measure and performed in correlation to the DEIA performance requirement.

- Lead or support an initiative to raise awareness and emphasize the value of diversity, equity, inclusion, and accessibility in the workplace.
- Lead or support training that promotes diversity, equity, inclusion, and accessibility, in the workplace, e.g., encouraging team members to attend DEIA presentations and trainings.
- Communicate the importance of DEIA efforts and provide tools and resources available that demonstrate support for these initiatives.
- Implement policies, programs, and a work environment that promote diversity and inclusion, enhance cultural competency and fairness, equity, and accessibility in the workplace.
- Implement best-practices to support diversity and equity in processes such as career appointments and promotion opportunities. Creative solutions to improve processes are suggested, reviewed, and discussed annually.
- Actively perform focused outreach to underserved communities to attract, recruit, and retain a diverse workforce, e.g., sharing vacancy announcements, attending career fairs, and supporting internship opportunities, etc.
- Promote a diverse and inclusive organizational culture through outreach efforts targeted to increase underrepresented student and graduate applicants.
- Equitably deliver economic programs and services to underserved communities and/or small and disadvantaged businesses.

4. Evaluation Criteria

Benchmark Performance Standards must be used. Performance attributes and/or supplemental standards may be used at supervisory discretion based on the employee's position of record.

Examples of Meeting Credible Measures:

The bullets below represent a non-inclusive list of activities that exemplify how a supervisor or employee may meet or exceed the DEIA standard(s). Bureaus are not required to use the language in performance plans. These are a list of examples, and they are not required/mandatory activities or expectations. Furthermore, simply doing one or more of the listed items is not a guarantee of meeting or exceeding the standard. A supervisor or employee's individual activities within their performance plan should be weighed against the actual language in the standard and not this list of examples.

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Supervisor

- Positively influences staff to uphold DEIA best practices.
- Promotes community building and positive organizational culture.
- Provides evidence of engagement with relevant stakeholders to develop and share best-practices in enhancing diversity and equity in hiring, performance, promotion, award, and career advancement processes.
- Provides time for engagement, space, and resources for employee participation in ERGs in accordance with Departmental policies and procedures, including [DAO 202-251](#).
- Ensures subordinate employees’ use of correct names and pronouns, both written and verbally, to help foster a workplace free of discrimination and harassment.

Employee

- Participate in available DEIA training, including those on the Commerce Learning Center platform.
- Participate in ERGs, in order to share a common identity and to meet and support other employees, increasing a sense of belonging within the bureau or Department.
- Include preferred name and pronouns in your Microsoft Outlook employee email signatures and Microsoft Teams settings.

DEIA Performance Management Point of Contacts:

Bureau	Name	Email
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References/Resources:

- [U.S. Department of Commerce – Strategic Plan – 2022-2026](#)
- [U.S. Department of Commerce – Diversity, Equity, Inclusion and Accessibility Strategic Plan – 2022-2024](#)
- [U.S. Department of Commerce – DAO 202-251: Voluntary Employee Organizations](#)
- [U.S. Office of Personnel Management – Agency DEIA Strategic Plan Goals](#)
- [U.S. Office of Personnel Management – Guidance Regarding Gender Identity and Inclusion in the Federal Workplace](#)
- [Performance Improvement Council – Performance Management Overview](#)