

# Employee Affirmative Action and Demographic Data Form

## Frequently Asked Questions

In January of 2020 the Office of Financial Management Division of State Human Resources will debut a new Employee Affirmative Action and Demographic Data (EAADD) form. The form, previously called the Employee Affirmative Action Profile Form, will include updated terms and definitions, improvements to the introductory language at the top, and new data collection fields. We've received a number of questions about the new form and our planned changes for the Human Resource Management System and reporting. These questions were used to develop this Frequently Asked Questions (FAQ) document, which we will be adding to as new questions come up.

### In this document:

- [How can I update my information?](#)
- [Why are we collecting this information?](#)
- [Why the update? Maybe I liked the old form!](#)
- [Will I have to fill out a new AA profile if my information won't change?](#)
- [Who can see this information and how will it be used?](#)
- [Is my information protected from a public disclosure request?](#)
- [Is the information I provide kept confidential?](#)
- [What does "SOGI" mean?](#)
- [Am I required to disclose my gender identity or sex assigned at birth?\\*](#)
- [Am I required to disclose my race or ethnicity?](#)
- [What does Gender X mean?](#)
- [How is the LGBTQ+ field going to be used? Why does the state need to know that?](#)
- [Are there currently any state policies regarding SOGI, and if so where can I find them?](#)
- [Is there SOGI training available now, or any planned for the future?](#)
- [Why do you need this data?](#)
- [You don't have the options I believe you should for certain questions. Will you ever change this form? Who do I contact?](#)
- [Is this voluntary?](#)
- [Do I count as a military spouse if I am divorced?](#)
- [Is this information protected, or is it like birth date?](#)
- [Can I choose not to share this information?](#)

### How can I update my information?

I'm so glad you asked! Simply fill out the latest version of the form and submit it to the human resources staff at your agency! The form will go live in mid-January and the Human Resources Management System fields should also be ready to go in mid-January 2020.

### Why are we collecting this information?

Government agencies provide state and federal periodic reports about the state workforce for equal opportunity and affirmative action efforts. **The demographic information from this form also helps us make better decisions about how we increase representation of underrepresented groups and make our workforce more diverse and inclusive. We need a clearer picture of marginalized groups in our current workforce to understand how we can create policies and make business decisions to support and welcome them in.**

The Sexual Orientation and Gender Identity (SOGI) change is undertaken in alignment with the Department of Health on Washington State Birth Certificates and with the Department of Licensing on government identification documents such as driver's licenses. Each of these agencies now allows a non-binary selection for gender identity. We are following suit to ensure our Human Resource Management System recognizes the identities of all our employees and creates visibility for non-binary individuals.

### Why the update? Maybe I liked the old form!

The form had not been updated in several years. In addition to the goal of alignment with other agencies such as Department Of Health and Department Of Licensing in the area of gender identity inclusion, [Executive Order 19-01](#) directs state agencies to provide support and resources to military spouses, but we had no way of collecting status as a military spouse. Concerns were also raised about the clarity of some of our definitions, including definitions of disability and some of our veteran identifying information. We also had two forms that were being used somewhat inconsistently by agencies and had an interest in simplifying collection of this information by having only one form. It was time to modernize the form for all these reasons.

The information gathered on this form is entered into HRMS. In order to be able to enter these new employee details into the system, we needed to update selection options, fields, and some of our report templates and titles as well. Updating the form without making these technical changes would not have improved our data collection, reporting or analysis ability in these areas.

### Will I have to fill out a new AA profile if my information won't change?

We are strongly encouraging all current employees of the state of Washington to update their information. Some of the questions are new and some of the definitions have changed. Even if a particular new category doesn't apply to you, having your current response improves our workforce data. In some cases, employees who have worked for the state for years may not have completed the old form, so we're also hoping to gather information from those individuals who didn't complete the form in the past.

### Who can see this information and how will it be used?

This information is visible on an individual employee level to only two authorized groups. First, human resources employees within your agency who have access to the Human Resource Management System, and second, to individuals with system access at the Office of Financial Management in the State Human Resources division.

The information is used for federal Equal Opportunity Commission reporting. It is also used to develop reports that show the overall diversity of our state workforce and of an agency's workforce. It supports the development of policies to improve fairness, representation and access for employees from all backgrounds to the State of Washington.

### Is my information protected from a public disclosure request?

At this time, this information would be subject to public disclosure. If a request was received by your agency for your detailed personal information (such as the information captured on this form) typically you would be notified in advance of the release of that information. Many state collective bargaining agreements require notice to the union and the affected bargaining unit employees before their information is released through public disclosure.

### Is the information I provide kept confidential?

The information provided on this form is kept confidential to the extent allowable by law. The data is used to develop aggregate reports and shall not be used for any workplace decision-making for individual employees. Although the information is used only in aggregate and is viewable on an individual level only by a limited group of people with specific human resource system permissions, the information on this form *is* currently subject to public disclosure at the individual level.

### What does "SOGI" mean?

"SOGI" is short for sexual orientation and gender identity. We have not collected information about an employee's sexual orientation in the past. Previously, we did collect gender information, but the options in the gender box were limited to male and female. The box will now be titled Gender Identity, and will include a third option for employees who identify as Gender X/non-binary. Additionally, it asks if someone identifies as LGBTQ+ (yes/no).

### Am I required to disclose my gender identity or sex assigned at birth?\*

No part of this form is required. The form is completely voluntary. If the form is not completed, in some of our statewide systems such as Washington Workforce Analytics (WWA) a blank field will default to one of the listed options. However, in the gender identity field and in the LGBTQ+ field we have included a new system option for "undisclosed," which will be the default if those categories are not completed by the employee.

**"Sex Assigned at Birth":** The sex assigned at birth field is still currently binary, and if that information is not disclosed by the employee, HRMS defaults to Female (simply because F comes before M in the alphabet). That HRMS field must contain information – it cannot remain blank. However, use of that information is limited to reporting to the Health Care Authority for their federal reporting, and to the Department of Retirement Systems for actuarial analysis related to

retirement benefits. DRS is planning to update their systems so that they can begin receiving the Gender Identity field sometime next year and cease their reliance on binary data in this area.

\*\*The only exception to gender identity being optional may be if your job is one of the few in the state that has Bona Fide Occupational Requirements (BFOQs) that include gender. Some jobs within the state have gender related requirements; these jobs exist primarily in our correctional facilities and social service institutions. Our approach to BFOQs for individuals who identify as non-binary is currently being explored.

#### [Am I required to disclose my race or ethnicity?](#)

No. However, if the form is not completed, in some of our statewide systems such as Washington Workforce Analytics (WWA) a blank field will default to one of the listed options. For instance, if an individual does not complete the form, a non-response to the Racial and Ethnic Background questions will result in that employee's information defaulting to "White/Caucasian."

#### [What does Gender X mean?](#)

Gender X is intended to be an inclusive category to recognize the real diversity of gender identity. Gender X means a gender that is not exclusively male or female.

#### [How is the LGBTQ+ field going to be used? Why does the state need to know that?](#)

The Washington Law Against Discrimination prohibits discrimination against people because of their sexual orientation or gender identity. There is substantial research suggesting that LGBTQ+ individuals experience discrimination and marginalization in the workplace, particularly trans people. However, since we have not historically allowed employees to report their sexual orientation or fully and accurately claim their gender identity, we are not able to measure the representation of this diverse community in our state workforce. Being blind in this area has made it difficult to target resources and policies to address gaps in the representation or experience of LGBTQ+ state workers. This population should not be silent or invisible within our systems. We are giving them the opportunity to be seen.

#### [Are there currently any state policies regarding SOGI, and if so where can I find them?](#)

[Governor Inslee's Directive 16-11](#) speaks to our commitment as a state to making our agencies and communities safe for LGBTQ+ people. Within that directive, State HR is directed to partner with the LGBTQ+ business resource group – the Rainbow Alliance and Inclusion Network – to identify strategies for creating safe, diverse, and inclusive workplaces for our LGBTQ+ employees and customers. The creation of a third gender option and a new field for collecting sexual orientation information came about as a result of recommendations from RAIN, State HR policy staff, and other stakeholders.

#### [Is there SOGI training available now, or any planned for the future?](#)

The RAIN Best Practices subcommittee is considering whether to develop content for a training on LGBTQ+ issues in the workplace. There is also work underway by the Statewide DEI Training Committee to identify necessary diversity, equity and inclusion topics to build training around. Although a specific resource for state agencies is not available today, there may be training on this topic in the future. For specific questions, please contact State HR or the RAIN BRG leadership.

### Why do you need this data?

State HR reports out on the representation of diverse and underrepresented groups in the state workforce. Currently we lack any information about the representation of some groups, such as members of the LGBTQ+ community and military spouses. Without that information, it is harder to identify gaps in representation, and whether we need to create policies, strategies or resources to increase access and representation for these groups. In order to be an Employer of Choice where all people feel included, welcomed and seen, we need to provide people the opportunity to identify themselves in our system. We also need to be able to measure the effectiveness of our efforts to improve. This data is crucial to our ability to measure our own success and where we still have a lot of work to do.

### You don't have the options I believe you should for certain questions. Will you ever change this form? Who do I contact?

If you have suggestions for the form or questions about its current content, you can send those questions to [SHRPlanning@ofm.wa.gov](mailto:SHRPlanning@ofm.wa.gov). However, due to some federal reporting requirements, there are parts of this form that we are not able to substantially change.

### Is this voluntary?

Yes, this form is completely voluntary. However, we strongly encourage you to complete it so we can implement data-driven strategies to improve our workplace culture and serve Washingtonians better.

### Do I count as a military spouse if I am divorced?

According to [Executive Order 19-01](#), a military spouse is anyone who is currently or was previously married to a service member during their time of active service, reserve or national guard duty. If this describes you, you are considered a military spouse for our purposes.

### Is this information protected, or is it like birth date?

The information on this form is not protected from disclosure under current state law. It would be treated the same as a state employee's birth date, which our State Supreme Court recently ruled was not exempted under the Public Records Act (meaning it would be disclosed if requested).

### Can I choose not to share this information?

Yes. The form is voluntary.