

# Harassment and Discrimination on the Basis of Gender and Race/Ethnicity in the Federal Emergency Management Agency Workforce

## Addendum

Carra S. Sims

CT-A383-2

Document submitted March 3, 2022, as an addendum to testimony before the Committee on Homeland Security, Subcommittee on Emergency Preparedness, Response, and Recovery and Subcommittee on Oversight, Management, and Accountability on January 20, 2022.



For more information on this publication, visit [www.rand.org/t/CTA383-2](http://www.rand.org/t/CTA383-2).

### Testimonies

RAND testimonies record testimony presented or submitted by RAND associates to federal, state, or local legislative committees; government-appointed commissions and panels; and private review and oversight bodies.

Published by the RAND Corporation, Santa Monica, Calif.

© 2022 RAND Corporation

RAND® is a registered trademark.

### Limited Print and Electronic Distribution Rights

This publication and trademark(s) contained herein are protected by law. This representation of RAND intellectual property is provided for noncommercial use only. Unauthorized posting of this publication online is prohibited; linking directly to its webpage on [rand.org](http://rand.org) is encouraged. Permission is required from RAND to reproduce, or reuse in another form, any of its research products for commercial purposes. For information on reprint and reuse permissions, please visit [www.rand.org/pubs/permissions](http://www.rand.org/pubs/permissions).

*Harassment and Discrimination on the Basis of Gender and Race/Ethnicity in the Federal  
Emergency Management Agency Workforce*

Testimony of Carra S. Sims<sup>1</sup>  
The RAND Corporation<sup>2</sup>

Addendum to testimony before the Committee on Homeland Security  
Subcommittee on Emergency Preparedness, Response, and Recovery and Subcommittee on  
Oversight, Management, and Accountability  
United States House of Representatives

Submitted March 3, 2022

Following the hearing on January 20, 2022, the congressional committee sought additional information and requested answers to the questions in this document. The answers were submitted for the record.

## Questions from Chairwoman Val Demings

### Question 1

*The 2020 RAND report on harassment and discrimination in the FEMA [Federal Emergency Management Agency] workplace concludes that “One vital component in organization change is measurement of the problem.”<sup>3</sup> To that end, I know the RAND Corporation conducted a follow*

---

<sup>1</sup> The opinions and conclusions expressed in this addendum are the author’s alone and should not be interpreted as representing those of the RAND Corporation or any of the sponsors of its research.

<sup>2</sup> The RAND Corporation is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest. RAND’s mission is enabled through its core values of quality and objectivity and its commitment to integrity and ethical behavior. RAND subjects its research publications to a robust and exacting quality-assurance process; avoids financial and other conflicts of interest through staff training, project screening, and a policy of mandatory disclosure; and pursues transparency through the open publication of research findings and recommendations, disclosure of the source of funding of published research, and policies to ensure intellectual independence. This testimony is not a research publication, but witnesses affiliated with RAND routinely draw on relevant research conducted in the organization.

<sup>3</sup> This is referring to Coreen Farris, Carra S. Sims, Terry L. Schell, Miriam Matthews, Sierra Smucker, Samantha Cohen, and Owen Hall, *Harassment and Discrimination on the Basis of Gender and Race/Ethnicity in the FEMA Workforce*, Santa Monica, Calif.: RAND Corporation, RR-A383-1, 2020, [www.rand.org/t/RR-A383-1](http://www.rand.org/t/RR-A383-1).

*up survey of the FEMA workforce last year. What is the status of this follow up survey and when do you expect to release your findings?*

**Answer**

We have fielded a second survey at FEMA. We are currently conducting this analysis and completing documentation. While we do not have an expected release date yet because the work is still in progress, we will share the published report with the Committee and its members as soon as it is complete, has gone through RAND's rigorous quality assurance review, and has cleared FEMA and the U.S. Department of Homeland Security's (DHS's) public release review process.

## Questions from Ranking Member John Katko

### Question 1

*In your opinion, what steps should FEMA be taking to effectively balance and respond to these priorities?*

**Answer**

Our study did not speak to how FEMA should balance its priorities, though a reduction in harassment and discrimination would potentially facilitate staff retention and productivity. Our study did provide recommendations aimed at helping FEMA leadership make decisions about programming and policy responses to address harassment and discrimination in the workplace. In 2019, we offered several recommendations to FEMA, including the following:

1. Explore differences in culture and climate between offices that had low rates of civil rights violations and those with higher rates.
2. Explore interventions with leaders at all levels to ensure that all understand how best to handle harassment and understand their responsibility to address it.
3. Reduce barriers to reporting.
4. Increase accountability and transparency in dealing with harassment and discrimination reports at all levels of leadership.
5. Continue monitoring harassment and discrimination in the workforce.

### Question 2

*During a Transportation and Infrastructure hearing last year, Administrator Criswell noted "many of our staff have been activated in support of COVID-19 [coronavirus disease 2019] response operations and numerous other disaster declarations for over a year ..." How is employee morale and job performance impacted when response personnel are continually redeployed from one disaster to the next?*

## Answer

The question relates to how employees manage stress and well-being and maintain performance when they are assigned to one disaster after another with no rest period in between. Our study did not directly investigate the effects of COVID-19 and continual disaster deployment on morale at FEMA, or how employees manage stress and well-being and maintain performance. However, our study did suggest that experiencing harassment and discrimination may reduce productivity and retention, while the broader literature suggests more-general wellness impacts.

Other colleagues at RAND have examined the issue of workforce stress and resilience. For example, experts have reviewed existing programs for the DHS workforce to support psychological health and resilience and have found a limited evidence base for most workplace psychological health interventions, as well as variation in access to services and the potential effectiveness of programs. Their recommendations suggest additional ways for DHS to move forward in ensuring its employees have access to evidence-based programs to support the response to the stressors they inevitably face.<sup>4</sup>

## Question 3

*The RAND report states that FEMA asked you to determine the extent to which harassment and discrimination based on sex, gender, race, or ethnicity occurred in its entire workforce. How typical of a request is this – for an Agency to request a self-assessment - and how does FEMA compare to other federal agencies in this regard?*

## Answer

This is not a typical request. In fact, FEMA is, to our knowledge, the first organization to request such information formally or informally without some external requirement being instituted by Congress or by a class action lawsuit. By utilizing independent expertise and publicly sharing this information, FEMA allows other organizations, both public and private, access to credible estimates and the opportunity to learn from its experience.

The uniqueness of this request is actually why it is so difficult to provide comparators for the prevalence rates FEMA experienced in the year prior to the survey. Biennial Department of Defense (DoD) surveys and the 2016 U.S. Merit Systems Protection Board survey of federal employees are among the exceptions. In DoD's case, those surveys are actually mandated by law rather than organizational choice.

## Comparing Sexual Harassment at FEMA to Other Organizations

Using a similar measurement approach, designed by the same team of RAND researchers, DoD found that 24.2 percent of active duty service women and 6.3 percent of active duty service

---

<sup>4</sup> Carrie M. Farmer, Katie Whipkey, and Margaret Chamberlin, *Programs Addressing Psychological Health and Resilience in the U.S. Department of Homeland Security*, Santa Monica, Calif.: RAND Corporation, RR-1952-DHS, 2019, [www.rand.org/t/RR1952](http://www.rand.org/t/RR1952).

men experienced sexual harassment in the past year. Compared to the annual estimates for FEMA employees (19.3 percent of female FEMA employees and 7.0 percent of male FEMA employees), the prevalence was higher for women in DoD and similar for men in DoD.

The DoD workforce skews very young, which may explain the difference among women; younger adults are at higher risk than older adults.

The U.S. Merit Systems Protection Board used a different survey measure of sexual harassment than was used for the FEMA Workplace Support Survey and assessed sexual harassment in the past two years rather than only the past year. Across the entire federal workforce (including DoD), the U.S. Merit Systems Protection Board estimated that 20.9 percent of women were sexually harassed in the past two years, while we estimated that 19.3 percent of FEMA women were sexually harassed in the past year.

#### Comparing Racial/Ethnic Harassment at FEMA to Other Organizations

Using a similar measurement approach, DoD found that 16.5 percent of active component service members experienced racial/ethnic harassment and 5.6 percent experienced racial/ethnic discrimination in the prior year. Compared to the annual estimates for FEMA employees (16.0 percent racial/ethnic harassment and 6.5 percent racial/ethnic discrimination), the DoD estimates are similar.

#### Question 4

*The RAND report found that women were more likely to experience a civil rights violation; however, the rates of civil rights violations varied significantly across offices. Specifically, women in FEMA Regional Offices and the Office of the Administrator reported the highest percentage of employees having experienced a gender based/sexual harassment violation. While I recognize that the report did not explore why some offices have higher prevalence rates than others, based on other findings in the report, do you have any thoughts on what might be causing these variations in rates?*

*In your opinion, is this something that would be worth exploring in future reports?*

#### Answer

We did not have the purview to explore this issue in depth, as you note. However, we did recommend that FEMA might wish to consider the issue with regard to determining whether some offices had best practices that could be used more broadly across the organization. We suggested that policy and enforcement of norms of behavior might differ in offices with higher and lower rates of civil rights violations. However, we also noted that it would be important to consider demographic and employee characteristic differences of the offices that might be predictive of prevalence, to rule out the hypothesis that simple demographic or employment characteristics account for the variation across offices. This is something that we think would be worth pursuing, but our study, including our follow-up, are not best suited to pursue these questions.

## Question 5

*Dr. Sims, the RAND report describes findings from a survey fielded in 2019; to what extent is RAND or the Homeland Security Operational Analysis Center [HSOAC] planning on conducting follow up to see if anything has changed in the past two years? Are you aware of actions that FEMA has taken because of your report?*

## Answer

In response to our findings, FEMA published the *Culture Improvement Action Plan*, designed to “increase employee awareness of RAND survey results; provide transparent communication of workforce culture objectives, programs, and improvements and associated implementation timelines; [and] demonstrate continued leadership commitment to [FEMA’s] core values.”<sup>5</sup> The action plan included three-, six-, and 12-month implementation plans for increasing (1) engagement and advocacy, (2) training and education, (3) messaging and communications, (4) employee resources, (5) performance and accountability, and (6) monitoring and assessment. Together, these efforts were intended to “ensure FEMA remains a safe workplace free of harassment and discrimination.”<sup>6</sup>

In addition, to understand whether efforts to reduce prevalence are succeeding, FEMA asked HSOAC researchers to repeat the workforce survey two years after the first survey had been administered. We have fielded this second survey and are in the course of analyzing the results in order to complete that study prior to public release.

## Question 6

*Your testimony states that the RAND Corporation estimated that 29% of FEMA employees experienced a sex or race/ethnicity-based civil rights violation in the past year, with many of these employees reportedly experiencing both types of violations.*

*a. What are some examples of such violations that occur most commonly within the FEMA workforce and how do these violations affect employee morale?*

*b. In response to RAND’s report, FEMA issued a Culture Action Improvement Plan. What are your thoughts on this plan? Has this plan provided sufficient initiatives or plans on how the Agency should prevent and/or mitigate these types of violations?*

## Answer

We used behaviorally based survey measures to estimate the percentage of FEMA employees who had experienced at least one civil rights violation in the preceding year. These measures first documented *inappropriate workplace behaviors*, and then, where applicable, we followed these initial screening questions with questions to assess additional legal requirements necessary for

---

<sup>5</sup> FEMA, *Culture Improvement Action Plan*, December 2020, p. 1, [https://www.fema.gov/sites/default/files/documents/fema\\_culture-improvement-action-plan\\_2020.pdf](https://www.fema.gov/sites/default/files/documents/fema_culture-improvement-action-plan_2020.pdf).

<sup>6</sup> FEMA, 2020, p. 14.

these experiences to rise to the level of a civil rights violation, such as questions that assess persistence or whether most people would consider the behavior offensive—this last being the “reasonable person” standard. For exemplars as to what types of behaviors civil rights violations included, in Table 1 and Table 2 we provide the top five most frequently chosen example behaviors for gender-based/sexual behaviors and race/ethnicity-based behaviors, respectively.<sup>7</sup>

**Table 1. Estimated Percentage of FEMA Employees Who Had Experienced Gender-Based/Sexual (Sexist) Inappropriate Workplace Behaviors in the Preceding Year, by Gender**

Type of Behavior	Men	Women	Overall
Hostile work environment sexual harassment behavior			
Repeatedly tell sexual jokes that made you uncomfortable, angry, or upset	4.4 (3.8–5.2)	7.6 (6.8–8.5)	6.0 (5.5–6.6)
Hostile work environment gender-based (sexist) harassment behavior			
Made you uncomfortable, angry, or upset by ignoring or excluding you because [you are a man/you are a woman/of your gender]	5.0 (4.4–5.8)	14.5 (13.4–15.6)	9.8 (9.1–10.5)
Made you uncomfortable, angry, or upset by making sexist comments about your gender	3.3 (2.8–3.9)	10.5 (9.6–11.5)	6.9 (6.3–7.5)
Gender discrimination			
Make it harder for you to get a promotion or a new position because [you are a man/you are a woman/of your gender]	6.4 (5.6–7.4)	9.7 (8.8–10.7)	8.1 (7.4–8.8)
Assign you to either an undesirable or unimportant task because [you are a man/you are a woman/of your gender]	4.6 (3.8–5.6)	9.6 (8.7–10.7)	7.1 (6.5–7.8)

NOTE: The 95-percent confidence interval for each estimate is indicated in parentheses.

<sup>7</sup> In the full report, see Table 3.2 for additional gender-based/sexual inappropriate workplace behaviors, Table 6.1 for additional racial/ethnic harassment inappropriate workplace behaviors, and Table 6.3 for racial/ethnic discrimination inappropriate workplace behaviors. Note that Table 2 in this document does not show racial/ethnic discrimination inappropriate workplace behaviors because none of them were endorsed as frequently as the harassment behaviors.

**Table 2. Estimated Percentage of FEMA Employees Who Had Experienced Each Racial/Ethnic Harassment Behavior in the Preceding Year, by Race/Ethnicity**

Someone from Work	White	African American	Hispanic	Other	Unknown Race/Ethnicity	Overall
Made you uncomfortable, angry, or upset by showing you a lack of respect because of your race/ethnicity	6.2 (5.4–7.0)	15.1 (13.3–17.1)	11.6 (10.0–13.3)	10.2 (7.2–14.3)	7.8 (5.4–11.2)	9.3 (8.6–10.0)
Made you uncomfortable, angry, or upset by telling racial/ethnic jokes	7.1 (6.3–8.0)	9.8 (8.3–11.5)	10.0 (8.5–11.8)	12.0 (8.7–16.3)	7.6 (5.1–11.1)	8.4 (7.7–9.1)
Made you uncomfortable, angry, or upset by insulting your racial/ethnic group	5.0 (4.3–5.8)	8.5 (7.1–10.3)	9.1 (7.7–10.7)	13.1 (9.5–17.8)	6.6 (4.4–9.8)	6.8 (6.2–7.5)
Used a racial/ethnic term that made you uncomfortable, angry or upset	6.0 (5.2–6.8)	6.7 (5.5–8.1)	5.8 (4.7–7.1)	8.6 (5.7–12.8)	5.0 (3.0–8.3)	6.2 (5.6–6.8)
Made you uncomfortable, angry, or upset by making a comment about the way people in your racial/ethnic group talk	3.4 (2.8–4.1)	7.5 (6.3–8.9)	11.2 (9.6–13.0)	9.6 (6.5–13.9)	4.4 (2.7–7.3)	5.8 (5.2–6.3)

NOTE: The 95-percent confidence interval for each estimate is indicated in parentheses.

We did not assess morale in our study. However, for an employee categorized as having experienced harassment or discrimination in the preceding year, the survey included an item that asked whether they had taken “a sick day or any other type of leave” as a consequence of the situation. The survey also included an item asking whether the upsetting situation made them want to quit. Although neither item assesses morale directly, they provide a very basic indication of potential productivity and retention issues. Many victims indicated having used at least one leave day as a result of the situation, varying from 16.4 percent of racial/ethnic harassment victims to 39.9 percent of racial/ethnic discrimination victims. In addition, about one-third of employees who had experienced harassment (28.6 to 31.3 percent) indicated that the situation made them “want to quit.” Employees who had experienced discrimination were twice as likely to want to leave their positions; nearly two-thirds indicated that the situation made them “want to quit” (57.8 to 65.3 percent).<sup>8</sup>

As you note, FEMA published the *Culture Improvement Action Plan*, designed to “increase employee awareness of RAND survey results; provide transparent communication of workforce culture objectives, programs, and improvements and associated implementation timelines; [and] demonstrate continued leadership commitment to [FEMA’s] core values.”<sup>9</sup> The action plan included three-, six-, and 12-month implementation plans for increasing (1) engagement and

<sup>8</sup> See Farris et al., 2020, pp. 77–78, for more in-depth description.

<sup>9</sup> FEMA, 2020, p. 1.

advocacy, (2) training and education, (3) messaging and communications, (4) employee resources, (5) performance and accountability, and (6) monitoring and assessment.

We did not assess this plan systematically and so cannot speak to specifics of its implementation. That said, as we noted in our report, a comprehensive and holistic set of interventions that incentivize professional and respectful workplace behavior can help leaders ensure that the FEMA work environment is one in which individual tendencies toward negative behavior are suppressed. Certainly, as described, the intent of the plan appears to be to develop such a comprehensive and holistic set of interventions with an emphasis on transparency.

I would note that the evidence base for exactly what recommendations to implement when you have a high rate of civil rights violations in an organization tends to be sparse. This means that specific and detailed recommendations are hard to come by in the literature, so interventions that appear reasonable and are paired with reasonable plans to *assess how well they are working* are key. To the extent that FEMA's plans both seem reasonable and include a measurement component to make sure they are working rather than just providing liability protection, they are on the right track. If implementation of some aspects is less successful, trying something different should not be perceived as failure but rather FEMA being in the forefront of transparent efforts to alleviate its challenges.

#### **Question 7**

*The RAND report states that, "for each type of discrimination, 35 percent or more indicated that they were subject to retaliation." However, the report is unclear as to whether an evaluation of how supervisors handle these issues is a part of the performance review cycle. Since the publication of this report, do you know if FEMA has updated their performance evaluations to include this criteria?*

#### **Answer**

We do not have this information. A representative from FEMA would likely be able to speak to that issue.

### **Questions from Congresswoman Diana Harshbarger**

#### **Question 1**

*In your view, would awarding FEMA contracts to contractors physically located near disaster sites produce favorable outcomes both by expediting the process of getting boots on the ground and by providing work to residents affected by the disaster? Should FEMA consider updating their contracting processes to prioritize contractors located near the disaster site?*

#### **Answer**

Our study did not speak to these issues, so this is not a question we would be able to answer.

## Questions from Congressman Peter Meijer

### Question 1

*Given the challenges the FEMA workforce has faced over the past few years, such as staff shortages and burnout, what is the most critical step FEMA should take to ensure it can respond adequately to hurricanes and wildfires in 2022? Could you tell us, to your own knowledge, if FEMA has implemented this action?*

### Answer

Our study deals with harassment and discrimination rather than staffing or burnout, although harassment and discrimination definitely have an impact on employee well-being and can affect retention. Given the scope of our study, and suggestions of challenges FEMA faces in the domains of employee climate for harassment, perceptions surrounding employees' reporting of civil rights violations, and subsequent retaliation, we recommended that FEMA ensure that leaders at all levels know what to do with a report and have the tools at hand to take action (including a familiarity and comfort with lower levels of sanctions, such as talking with the offender about appropriate behavior). We also suggested that FEMA track interventions to achieve these aims in order to determine whether they worked and increase transparency surrounding these issues.

FEMA has put a plan in place—the *Culture Improvement Action Plan*—to help implement changes,<sup>10</sup> but the scope of our follow-on survey does not include assessing that plan or its implementation. However, the public release of the plan itself does speak to an increase in transparency. For further details on the success of the implementation, I would recommend that you speak to FEMA.

---

<sup>10</sup> See FEMA, 2020.