

March 21, 2023

**By E-mail**

Jenny R. Yang  
Director  
Office of Federal Contract Compliance Programs  
U.S. Department of Labor  
200 Constitution Ave NW  
Washington, DC 20210

Samuel B. Maiden  
Regional Director  
U.S. Department of Labor  
Office of Federal Contract Compliance Programs  
1835 Market Street, Suite 2000  
Philadelphia, PA 19103

Dear Director Jenny Yang:

We are writing to urge the Office of Federal Contract Compliance Programs (OFCCP) to conduct an investigation of federal contractor Maximus, Inc.,<sup>1</sup> for its apparent failure to address systemic racial disparities within its workforce. NAACP, Communications Workers of America (CWA) and the Strategic Organizing Center (SOC) have conducted a multifaceted analysis of Maximus's workforce and found disturbing indicators of potential systemic racial and gender disparities at one of the nation's largest federal service contractors. These findings are detailed in our newly released report, *Calling for Justice: Racial Inequity at the Largest Federal Call Center Contractor*. (See attached.)

We applaud the Biden Administration placing racial justice at the forefront of its priorities, as demonstrated by its Executive Orders aimed at advancing racial equity through the federal government. We strongly agree that, "Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our Government."<sup>2</sup> The OFCCP has a clear mandate to

---

<sup>1</sup> Maximus is headquartered at 1600 Tysons Blvd, Suite 1400, McLean, VA 22102.

<sup>2</sup> [Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#) (Jan. 20, 2021). See also [Executive Order on Further](#)

hold federal contractors accountable for complying with anti-discrimination and affirmative action laws. In light of the findings of our analyses, investigating Maximus is an important opportunity to advance the Administration's vision of government's role in ensuring equitable opportunities for historically-marginalized workers.

Our analyses uncovered evidence of startling racial disparities at Maximus, and apparent barriers to rectifying these disparities.<sup>3</sup>

Recently-released workforce data from Maximus shows stark discrepancies between the demographics of its frontline workforce versus that of its executive level management. The vast majority of its frontline workforce are women (76%) and people of color (69%), whereas white men account for nearly 50% of its upper management and executive leadership, despite making up only 9% of frontline workers. Black and Latina women are the single largest group of frontline workers at 48%, but they represent only 5% of executives.

There appear to be barriers to advancement of frontline workers—who are predominantly women and people of color—beyond the lowest rungs of Maximus' corporate ladder. For example, frontline workers at Maximus' federally contracted call centers consistently reported that the company has no clear career path, offers little to no training to support advancement within the company, provides inadequate communication about opportunities for advancement, and tolerates a culture of favoritism. Our analysis of managers at Maximus using public LinkedIn profiles found that the vast majority of current managers were hired externally, and that only 2% were promoted from within frontline customer service roles.

These findings suggest that Maximus may not be in compliance with 41 CFR 60-2.17, which requires that federal contractors identify problem areas where impediments to equal employment opportunity may exist, and “develop and execute action-oriented programs designed to correct any problem areas.” Importantly, such programs must “consist of more than following the same procedures which have previously produced inadequate results.”

---

[Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#) (Feb 16, 2023).

<sup>3</sup> Detailed sourcing of the assertions in this letter are included in the attached report, *Calling for Justice: Racial Inequity at the Largest Federal Call Center Contractor*.

Comparing Maximus' workforce demographics with federal agencies demonstrates the extent of the racial equity problem at Maximus. Data for the Internal Revenue Service (IRS) and the Social Security Administration (SSA)—which both employ large in-house call center workforces—show that these agencies employ similar proportions of Black and Latino workers at all levels of responsibility, from frontline to leadership roles. If major federal agencies can deliver equitable workforce outcomes, certainly we should expect no less of major federal contractors.

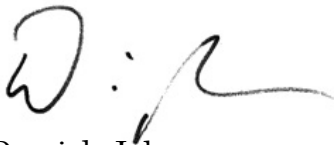
The findings summarized in this letter, and outlined in greater detail in the attached report, point to the need for a full and thorough investigation into potential systemic equity failures at Maximus. NAACP and CWA urge the OFCCP to conduct a corporate management compliance evaluation into Maximus' selection, development, and retention practices that affect advancement into middle and senior-level corporate management. Such an investigation is imperative to identify and fully remedy any impediments to equal employment opportunities at Maximus, and would serve to follow through on the Administration's commitment to affirmatively advancing racial justice and racial equity.

Thank you in advance for your attention to this serious matter. Please do not hesitate to contact CWA Counsel Alex van Schaick at [AvanSchaick@cwa-union.org](mailto:AvanSchaick@cwa-union.org) with any follow-up pertaining to this letter.

Sincerely,



Christopher Shelton  
President, Communications Workers of America



Derrick Johnson  
President, NAACP

CC: The Honorable Julie Su  
Acting Secretary of the United States Department of Labor