

Affirmative Action Plan for the Recruitment, Hiring, Advancement, and Retention of Persons with Disabilities

Section 501 of the Rehabilitation Act of 1973 (29 U.S.C. § 791), as amended, and implementing regulations at 20 C.F.R. §164.203 require federal agencies to develop and publish an affirmative action plan for persons with disabilities which also includes persons with targeted disabilities. This plan describes how the agency will improve the recruitment, hiring, advancement, and retention of applicants and employees with disabilities.

Section I: Efforts to Reach Regulatory Goals

EEOC regulations (29 CFR §1614.203(d)(7)) require agencies to establish specific numerical goals for increasing the participation of persons with disabilities and persons with targeted disabilities in the federal government

1. Using the goal of 12% as the benchmark, does your agency have a trigger involving PWD by grade level cluster in the permanent workforce? If “yes”, describe the trigger(s) in the text box.

- | | |
|--------------------------------|------------|
| a. Cluster GS-1 to GS-10 (PWD) | Answer No |
| b. Cluster GS-11 to SES (PWD) | Answer Yes |

The percentage of PWD in the GS-1 to GS-10 cluster is 20.09%; this figure is a 6.77% increase over FY 2022. The percentage of PWD in the GS-11 to SES cluster is 11.30%, which is a 1.06% increase over FY2022.

*For GS employees, please use two clusters: GS-1 to GS-10 and GS-11 to SES, as set forth in 29 C.F.R. § 1614.203(d)(7). For all other pay plans, please use the approximate grade clusters that are above or below GS-11 Step 1 in the Washington, DC metropolitan region.

2. Using the goal of 2% as the benchmark, does your agency have a trigger involving PWTD by grade level cluster in the permanent workforce? If “yes”, describe the trigger(s) in the text box.

- | | |
|---------------------------------|------------|
| a. Cluster GS-1 to GS-10 (PWTD) | Answer No |
| b. Cluster GS-11 to SES (PWTD) | Answer Yes |

The percentage of PWTD in the GS-1 to GS-10 cluster is 2.35%; this figure is a .59% increase over FY 2022. The percentage of PWTD in the GS-11 to SES cluster is 1.21%; this figure is a modest increase of .07% over FY 2022.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numarical Goal	--	12%		2%	
Grades GS-11 to SES	84605	5380	6.36	1069	1.26
Grades GS-1 to GS-10	11182	1448	12.95	260	2.33

3. Describe how the agency has communicated the numerical goals to the hiring managers and/or recruiters.

The percentage of PWTD in the GS-1 to GS-10 cluster is 2.35%; this figure is a .59% increase over FY 2022. The percentage of PWTD in the GS-11 to SES cluster is 1.21%; this figure is a modest increase of .07% over FY 2022.

Section II: Model Disability Program

Pursuant to 29 C.F.R. § 1614.203(d)(1), agencies must ensure sufficient staff, training and resources to recruit and hire persons with disabilities and persons with targeted disabilities, administer the reasonable accommodation program and special emphasis program, and oversee any other disability hiring and advancement program the agency has in place.

A. PLAN TO PROVIDE SUFFICIENT & COMPETENT STAFFING FOR THE DISABILITY PROGRAM

1. Has the agency designated sufficient qualified personnel to implement its disability program during the reporting period? If “no”, describe the agency’s plan to improve the staffing for the upcoming year.

Answer Yes

2. Identify all staff responsible for implementing the agency's disability employment program by the office, staff employment status, and responsible official.

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Section 508 Compliance	1	0	0	Ben.L.Schwarten@usdoj.gc
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Deidre.Roberson@usdoj.gc
Architectural Barriers Act Compliance	1	0	0	Scott Snell Director, JMD Facilities and Administrative Services Staff Scott.Snell@usdoj.gov
Special Emphasis Program for PWD and PWTB	1	0	0	Annette.M.Garland@usdoj.
Processing applications from PWD and PWTB	1	0	0	Deidre.Roberson@usdoj.gc
Processing reasonable accommodation requests from applicants and employees	1	0	0	Deidre.Roberson@usdoj.gc

3. Has the agency provided disability program staff with sufficient training to carry out their responsibilities during the reporting period? If “yes”, describe the training that disability program staff have received. If “no”, describe the training planned for the upcoming year.

Answer Yes

The JMD Disability Employment Program (DEP) staff participated in two National Employment Law Institute training events entitled Resolving ADA Workplace Questions and the ADA Workshop. The DEP staff also attended training conducted by the U.S. Department of Labor (DOL), Office of Disability Employment Policy (ODEP) entitled Spotlight on ODEP: What Can the Office of Disability Employment Policy Do for You?; training provided by the Mid-Atlantic ADA Center on Title III of the ADA: Common Myths and Mix-Ups; training provided by the Office of Personnel Management entitled Leading the Way in Diversity Equity Inclusion and Accessibility; and training provided by Cornell University’s School of Industrial and Labor Relations entitled Section 508 Conference Series: Accessibility & Accommodation in the Federal Workplace and Workplace Disability Inclusion. DEP staff also participated in the annual U.S. Access Board Town Hall Meeting. DOJ DEP staff also regularly participated in the Federal

Exchange on Employment in Disability or “FEED” quarterly meetings sponsored by the DOL/ODEP, and training offered by the U.S. Equal Employment Opportunity Commission.

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

Has the agency provided sufficient funding and other resources to successfully implement the disability program during the reporting period? If “no”, describe the agency’s plan to ensure all aspects of the disability program have sufficient funding and other resources.

Answer No

Additional funding for targeted employment outreach, including outreach to PWDs, was provided in FY 2023. The additional funding was utilized for employment outreach, which identified qualified individuals with disabilities eligible for appointment under the Schedule A, section (u) appointment authority. In support of the Department’s reasonable accommodation process, a Reasonable Accommodation tracking system was created in collaboration with the Department’s Office of the Chief Information Officer (OCIO). This tracking system was launched during FY 2023 for use by JMD supervisors and will be expanded to other DOJ Components after completion of a one-year pilot within JMD.

Section III: Program Deficiencies In The Disability Program

Brief Description of Program Deficiency	C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If “no”, please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.		
Objective	Using the recently created reasonable accommodation tracking system for use by DOJ Offices, Boards and Divisions (OBDs), determine if all initial accommodation requests, excluding ongoing interpretative services, are processed within the time frame set forth in its reasonable accommodation procedures.		
Target Date	Sep 30, 2025		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2023	The Department details the time frames for processing reasonable accommodation requests in its policy instructions and Components are informed about the requirement to process requests within the stated time frame, barring extenuating circumstances. To determine whether requests are processed within established time frames, the JMD EEO Staff has launched a new reasonable accommodation tracking system for use by DOJ OBDs. This system was developed in collaboration with the Department’s Office of the Chief Information Officer and launched in FY 2023. This tracking system will enhance the management and tracking of reasonable accommodation requests and the disposition of those requests. It will also generate reports to document processing time frames and compile aggregate data reports per EEOC requirements. The system is being piloted in JMD and will be subsequently made available to other OBDs for their use.	

Section IV: Plan to Recruit and Hire Individuals with Disabilities

Pursuant to 29 C.F.R. §1614.203(d)(1)(i) and (ii), agencies must establish a plan to increase the recruitment and hiring of individuals with disabilities. The questions below are designed to identify outcomes of the agency’s recruitment program plan for PWD and PWTD

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

- 1. Describe the programs and resources the agency uses to identify job applicants with disabilities, including individuals with targeted disabilities.

DOJ provides PWDs with opportunities to be considered for employment. They can search current employment opportunities posted on both USAJOBS and the website at doj.gov/careers and www.fbijobs.gov. In addition, PWDs can also reach out to a DOJ Component Selective Placement Program Coordinator (SPPC), or a Disability Point of Contact (DPOC) for attorney hiring to express interest in being considered non-competitively through the Schedule A, section (u) hiring process. Information about the Schedule A, section (u) appointment authority and contact information for SPPCs and DPOCs for attorney hiring are posted on the DOJ Careers webpage. DOJ Components increased utilization of the OPM Agency Talent Portal (ATP) to search active resumes on USAJOBS to identify candidates who are eligible for non-competitive hire under Schedule A, section (u) or a disabled veterans hiring authority. The JMD EEO Staff, in coordination with other DOJ Components, regularly participated in employment outreach events targeting PWDs and PWTDs, such as the Bender Virtual Career Fair, National Federation of the Blind Career Fair, Department of Veterans Affairs Veteran Readiness and Employment Program for disabled veterans, Gallaudet University Career Fair and the Mid-Atlantic ADA Conference. During these events, the JMD EEO Staff provided information about DOJ’s mission, career opportunities, current job vacancies, special programs, such as Pathways, and employment related resources specifically available to PWDs. JMD EEO Staff and employees from the Criminal Division participated as interviewers to assist the DOL/ODEP in identifying qualified candidates for its Workforce Recruitment Program. DOJ will continue to support this program and use it as a source for job candidates with disabilities.

- 2. Pursuant to 29 C.F.R. §1614.203(a)(3), describe the agency’s use of hiring authorities that take disability into account (e.g., Schedule A) to recruit PWD and PWTD for positions in the permanent workforce

DOJ follows federal regulations and OPM guidelines to recruit and hire candidates who are eligible per Schedule A, Section (u).

- 3. When individuals apply for a position under a hiring authority that takes disability into account (e.g., Schedule A), explain how the agency (1) determines if the individual is eligible for appointment under such authority; and, (2) forwards the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed.

DOJ follows federal regulations and OPM guidelines to recruit and hire candidates who are eligible per Schedule A, section (u). DOJ employees involved in the hiring process are required to complete training on hiring PWDs and the appropriate use of Schedule A, section (u) which is available on the agency’s electronic learning management system.

- 4. Has the agency provided training to all hiring managers on the use of hiring authorities that take disability into account (e.g., Schedule A)? If “yes”, describe the type(s) of training and frequency. If “no”, describe the agency’s plan to provide this training.

Answer Yes

DOJ employees involved in the hiring process are required to complete training on hiring PWDs and the appropriate use of Schedule A, section (u) every three years.

B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS

Describe the agency’s efforts to establish and maintain contacts with organizations that assist PWD, including PWTD, in securing and maintaining employment.

DOJ maintained contact with relevant organizations by participating in employment outreach events targeting PWDs. The Department specifically maintained contact with the following organizations that assist PWDs in employment: Bender Consulting (Virtual Career Fairs for PWD), the National Association of Law Students with Disabilities, Gallaudet University, National Federation for the Blind, Maryland Division of Rehabilitation Services, DOL/ODEP, the Veterans Administration, and Deaf in Government.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

1. Using the goals of 12% for PWD and 2% for PWTD as the benchmarks, do triggers exist for PWD and/or PWTD among the new hires in the permanent workforce? If “yes”, please describe the triggers below.

a. New Hires for Permanent Workforce (PWD) Answer No

b. New Hires for Permanent Workforce (PWTD) Answer Yes

The rate of PWD new hires is 21.62% and the rate of PWTD new hires is 1.73%. The goal of 12% of PWD for new hires was met, however the goal of 2% of PTWD among new hires was below the benchmark.

New Hires	Total (#)	Reportable Disability		Targeted Disability	
		Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants	0				
% of Qualified Applicants	0				
% of New Hires	4057	4.73	2.19	0.71	0.44

2. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTD among the new hires for any of the mission- critical occupations (MCO)? If “yes”, please describe the triggers below. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires for MCO (PWD) Answer No

b. New Hires for MCO (PWTD) Answer No

Unable to determine whether triggers exist due to the unavailability of comprehensive applicant flow data.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability	Targetable Disability
		New Hires (%)	New Hires (%)
Numerical Goal	--	12%	2%
0007 CORRECTIONAL OFFICER	1712	9.11	1.46
0905 GENERAL ATTORNEY	54	5.56	0.00
1811 CRIMINAL INVESTIGATOR	1056	3.13	0.38

3. Using the relevant applicant pool as the benchmark, do triggers exist for PWD and/or PWTD among the qualified internal applicants for any of the mission-critical occupations (MCO)? If “yes”, please describe the triggers below. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. Qualified Applicants for MCO (PWD) Answer No

b. Qualified Applicants for MCO (PWTD) Answer No

Unable to determine whether triggers exist due to the unavailability of comprehensive applicant flow data.

4. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTD among employees promoted to any of the mission- critical occupations (MCO)? If “yes”, please describe the triggers below. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Promotions for MCO (PWD) Answer No
- b. Promotions for MCO (PWTD) Answer No

Unable to determine whether triggers exist due to the unavailability of comprehensive applicant flow data.

Section V: Plan to Ensure Advancement Opportunities for Employees with Disabilities

Pursuant to 29 C.F.R. §1614.203(d)(1)(iii), agencies are required to provide sufficient advancement opportunities for employees with disabilities. Such activities might include specialized training and mentoring programs, career development opportunities, awards programs, promotions, and similar programs that address advancement. In this section, agencies should identify, and provide data on programs designed to ensure advancement opportunities for employees with disabilities.

A. ADVANCEMENT PROGRAM PLAN

Describe the agency’s plan to ensure PWD, including PWTD, have sufficient opportunities for advancement.

DOJ will continue to assess policies and programs to support the advancement of PWDs and PWTDs, and when necessary, adjust its objectives to increase hiring and advancement opportunities. In FY 2024, DOJ will: • Continue to inform employees on how to request a reasonable accommodation, if needed, for career development programs and training; • Continue the Disability Roundtable series to educate employees on various issues related to disability employment, such as assistive technology, information regarding specific types of disabilities, programs that enhance professional opportunities for PWDs, and invite speakers who have experienced tremendous success despite limitations and challenges due to their disability; • Continue to collaborate with the Attorney General’s Advisory Committee on Persons with Disabilities, DOJ HR and EEO professionals to develop programs in support of PWDs; • Ensure that those eligible persons hired under Schedule A, section (u) are converted within two years of the initial temporary appointment to a permanent appointment; and • Continue annual resurvey of the DOJ workforce to account for disability status during the fourth quarter of the fiscal year.

B. CAREER DEVELOPMENT OPPORTUNITES

1. Please describe the career development opportunities that the agency provides to its employees.

DOJ coordinates the following Department-wide programs to support employee career development: the DOJ Leadership Excellence and Achievement Program (LEAP), the DOJ Mentoring program, and the DOJ Summer Law Intern Program (SLIP). DOJ also participates in the Pathways Program through the three sub-programs: the Internship Program, the Recent Graduates Program, and the Presidential Management Fellows Program. The DOJ Mentoring Program is available to employees in all DOJ Components and its group sessions are hosted virtually. The number of employees who are selected for the DOJ Mentoring program is driven by the number of mentors who are available and agree to support the program for its 10-month duration. Current personnel data systems are unable to capture comprehensive applicant flow data by RNO, gender, and disability for participation in all DOJ career development programs, and for all internal competitive promotions/selections for major occupations. Per OPM’s “Guide to Data Standards, Part C Training,” there are no data codes that allow federal agencies to collect via learning management systems information on race, ethnicity, gender, and disability status of employees participating in career development programs. Therefore, only very limited applicant flow data is readily available. In FY 2023, the Office of Attorney Recruitment and Management (OARM) collected disability status data on a voluntary basis for candidates and selectees for SLIP.

2. In the table below, please provide the data for career development opportunities that require competition and/or supervisory recommendation/ approval to participate.

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Fellowship Programs						
Detail Programs						

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Coaching Programs	16	16	37.5	37.5	0	0
Internship Programs	922	75	6.39	5.33	1.52	2.67
Other Career Development Programs	27	24	7.40	8.30	0	0
Mentoring Programs	383	101	12.8	19.8	1.4	1.36
Training Programs						

3. Do triggers exist for PWD among the applicants and/or selectees for any of the career development programs? (The appropriate benchmarks are the relevant applicant pool for the applicants and the applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Applicants (PWD) Answer No
- b. Selections (PWD) Answer No

DOJ is unable to determine if there are triggers and/or barriers regarding all career development programs as requested above. This information is also unavailable due to decentralization of HR functions and DOJ Component specific programs. The agency began to capture data regarding its legal internship program (law students) in FY 2019. As noted above, that is centrally managed by OARM, which hires interns for multiple DOJ Offices, Boards and Divisions (OBDs). OARM continues to conduct recruiting activities at law schools nationwide and continues to use its Ambassadors Program to connect DOJ attorneys with the law school community to support recruiting efforts. OARM also continues to maintain its roster of Disability Points of Contact (DPOCs) on the DOJ public website. The DPOCs are a resource within DOJ Components who provide information for PWD about attorney hiring and legal internships. The DOJ Mentoring Program is available to employees in all DOJ Components and its group sessions are hosted virtually. The number of employees who are selected for the DOJ Mentoring program is driven by the number of mentors who are available and agree to support the program for its 10-month duration.

4. Do triggers exist for PWTD among the applicants and/or selectees for any of the career development programs? (The appropriate benchmarks are the relevant applicant pool for the applicants and the applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Applicants (PWTD) Answer No
- b. Selections (PWTD) Answer No

C. AWARDS

1. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTD for any level of the time-off awards, bonuses, or other incentives? If “yes”, please describe the trigger(s) in the text box.

- a. Awards, Bonuses, & Incentives (PWD) Answer No
- b. Awards, Bonuses, & Incentives (PWTD) Answer No

Time Off Awards # of Hours Awarded PWOD Inclusion Rate PWD Inclusion Rate PWTD Inclusion Rate 1-10 Hours 24.02% 21.94% 27.47% 11-20 Hours 15.36% 14.95% 17.59% 21-30 Hours 6.09% 5.93% 6.45% 31-40 Hours 6.49% 6.48% 6.45% 41+ Hours 0.00% 0.00% 0.00% Cash Awards Amount of Award PWOD Inclusion Rate PWD Inclusion Rate PWTD Inclusion Rate \$0-\$500 13.05% 10.76% 11.27% \$501-\$999 27.17% 23.26% 24.34% \$1000-\$1999 23.84% 22.46% 22.35% \$2000-\$2999 9.47% 9.36% 9.16% \$3000-\$3999 7.76% 7.19% 7.11% \$4000-\$4999 4.38% 3.77% 3.49% \$5000+ 7.54% 5.05% 6.27% There are

disparities in the areas of time off awards and certain levels of cash awards based upon the inclusion rate regarding PWOD and PWD as also indicated in the awards data template.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 1 - 10 hours: Awards Given	27922	24.44	24.74	28.20	23.52
Time-Off Awards 1 - 10 Hours: Total Hours	208724	182.63	184.97	253.49	165.43
Time-Off Awards 1 - 10 Hours: Average Hours	7.48	0.09	0.01	0.56	-0.02
Time-Off Awards 11 - 20 hours: Awards Given	17990	16.80	15.82	18.06	16.50
Time-Off Awards 11 - 20 Hours: Total Hours	288361	269.51	253.62	363.57	246.68
Time-Off Awards 11 - 20 Hours: Average Hours	16.03	0.19	0.02	1.24	-0.06
Time-Off Awards 21 - 30 hours: Awards Given	7134	6.84	6.28	6.62	6.89
Time-Off Awards 21 - 30 Hours: Total Hours	172290	165.10	151.56	206.00	155.18
Time-Off Awards 21 - 30 Hours: Average Hours	24.15	0.29	0.02	1.93	-0.10
Time-Off Awards 31 - 40 hours: Awards Given	7628	7.57	6.69	6.62	7.81
Time-Off Awards 31 - 40 Hours: Total Hours	291836	287.80	256.14	363.14	269.51
Time-Off Awards 31 - 40 Hours: Average Hours	38.26	0.46	0.04	3.39	-0.25
Time-Off Awards 41 or more Hours: Awards Given	100	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Average Hours	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$501 - \$999: Awards Given	31357	23.83	27.99	24.98	23.55
Cash Awards: \$501 - \$999: Total Amount	21137573.27	15852.15	18866.09	19307.54	15013.46
Cash Awards: \$501 - \$999: Average Amount	674.09	8.03	0.67	47.79	-1.62
Cash Awards: \$1000 - \$1999: Awards Given	27809	23.93	24.56	22.94	24.17
Cash Awards: \$1000 - \$1999: Total Amount	34244235.17	29873.40	30204.44	37314.31	28067.34
Cash Awards: \$1000 - \$1999: Average Amount	1231.41	15.08	1.23	100.58	-5.67
Cash Awards: \$2000 - \$2999: Awards Given	11107	10.36	9.75	9.40	10.60
Cash Awards: \$2000 - \$2999: Total Amount	26011599.85	24256.74	22855.60	29276.10	23038.45
Cash Awards: \$2000 - \$2999: Average Amount	2341.91	28.27	2.34	192.61	-11.62

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$3000 - \$3999: Awards Given	9035	7.96	7.99	7.30	8.12
Cash Awards: \$3000 - \$3999: Total Amount	29826704.7	26178.35	26403.85	30268.67	25185.55
Cash Awards: \$3000 - \$3999: Average Amount	3301.24	39.72	3.30	256.51	-12.89
Cash Awards: \$4000 - \$4999: Awards Given	5054	3.85	4.51	3.59	3.92
Cash Awards: \$4000 - \$4999: Total Amount	21799442.61	16523.90	19453.88	19914.10	15701.04
Cash Awards: \$4000 - \$4999: Average Amount	4313.3	51.80	4.31	343.35	-18.97
Cash Awards: \$5000 or more: Awards Given	8503	5.71	7.77	6.43	5.54
Cash Awards: \$5000 or more: Total Amount	60073654.99	37889.32	55190.31	46312.58	35844.83
Cash Awards: \$5000 or more: Average Amount	7065	80.10	7.10	445.31	-8.54

2. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTB for quality step increases or performance-based pay increases? If “yes”, please describe the trigger(s) in the text box.

- a. Pay Increases (PWD) Answer No
- b. Pay Increases (PWTB) Answer No

The overall inclusion rate for PWDs and PWTBs who received a quality step increase (QSI) is 7.36% and 8.61%, respectively. The inclusion rate for employees categorized as PWOD is 7.41%, indicating there is no trigger for QSIs awarded to PWD and PWTB. *The FBI, one of the largest DOJ Component, does not award QSIs to its employees.

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Total Performance Based Pay Increases Awarded	0	0.00	0.00	0.00	0.00

3. If the agency has other types of employee recognition programs, are PWD and/or PWTB recognized disproportionately less than employees without disabilities? (The appropriate benchmark is the inclusion rate.) If “yes”, describe the employee recognition program and relevant data in the text box.

- a. Other Types of Recognition (PWD) Answer No
- b. Other Types of Recognition (PWTB) Answer No

DOJ’s employee recognition program utilizes time-off awards, cash awards and quality step increases and only has available data on those programs as captured in questions C.1 & 2 above.

D. PROMOTIONS

1. Does your agency have a trigger involving PWD among the qualified internal applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. SES

i. Qualified Internal Applicants (PWD)	Answer	No
ii. Internal Selections (PWD)	Answer	No
b. Grade GS-15		
i. Qualified Internal Applicants (PWD)	Answer	No
ii. Internal Selections (PWD)	Answer	No
c. Grade GS-14		
i. Qualified Internal Applicants (PWD)	Answer	No
ii. Internal Selections (PWD)	Answer	No
d. Grade GS-13		
i. Qualified Internal Applicants (PWD)	Answer	No
ii. Internal Selections (PWD)	Answer	No

Unable to determine if there are triggers for qualified internal applicants due to the unavailability of comprehensive applicant flow data.

2. Does your agency have a trigger involving PWTD among the qualified internal applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. SES		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	No
b. Grade GS-15		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	No
c. Grade GS-14		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	No
d. Grade GS-13		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	No

Unable to determine if there are triggers for qualified internal applicants due to the unavailability of comprehensive applicant flow data.

3. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the

trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. New Hires to SES (PWD) Answer No
- b. New Hires to GS-15 (PWD) Answer No
- c. New Hires to GS-14 (PWD) Answer No
- d. New Hires to GS-13 (PWD) Answer No

Unable to determine if there are triggers for new hires with PWD due to unavailability of comprehensive applicant flow data.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. New Hires to SES (PWTD) Answer No
- b. New Hires to GS-15 (PWTD) Answer No
- c. New Hires to GS-14 (PWTD) Answer No
- d. New Hires to GS-13 (PWTD) Answer No

Unable to determine if there are triggers for new hires with PWTD due to unavailability of comprehensive applicant flow data.

5. Does your agency have a trigger involving PWD among the qualified internal applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Executives
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No
- b. Managers
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No
- c. Supervisors
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No

Unable to determine if there are triggers for qualified internal applicants regarding all promotions to supervisory positions due to the unavailability of comprehensive applicant flow data.

6. Does your agency have a trigger involving PWTD among the qualified internal applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and

the qualified applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. Executives

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

b. Managers

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

Unable to determine if there are triggers for qualified internal applicants for all promotions to supervisory positions due to the unavailability of comprehensive applicant flow data.

7. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the selectees for new hires to supervisory positions? If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires for Executives (PWD) Answer No

b. New Hires for Managers (PWD) Answer No

c. New Hires for Supervisors (PWD) Answer No

Unable to determine if there are triggers for qualified PWD new hires for all promotions to supervisory positions due to the unavailability of comprehensive applicant flow data.

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the selectees for new hires to supervisory positions? If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires for Executives (PWTD) Answer No

b. New Hires for Managers (PWTD) Answer No

c. New Hires for Supervisors (PWTD) Answer No

Unable to determine if there are triggers for qualified PWTD new hires for all promotions to supervisory positions due to the unavailability of comprehensive applicant flow data.

Section VI: Plan to Improve Retention of Persons with Disabilities

To be model employer for persons with disabilities, agencies must have policies and programs in place to retain employees with disabilities. In this section, agencies should: (1) analyze workforce separation data to identify barriers retaining employees with disabilities; (2) describe efforts to ensure accessibility of technology and facilities; and (3) provide information on the reasonable accommodation program and workplace assistance services.

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

1. In this reporting period, did the agency convert all eligible Schedule A employees with a disability into the competitive service after two years of satisfactory service (5 C.F.R. § 213.3102(u)(6)(i))? If “no”, please explain why the agency did not convert all eligible Schedule A employees.

Answer No

DOJ converted all (252) employees who were hired pursuant to Schedule A, section (u) and eligible for conversion.

2. Using the inclusion rate as the benchmark, did the percentage of PWD among voluntary and involuntary separations exceed that of persons without disabilities? If “yes”, describe the trigger below.

a. Voluntary Separations (PWD) Answer No

b. Involuntary Separations (PWD) Answer Yes

The inclusion rate for PWDs who voluntarily separated from the agency is 3.19% and the inclusion rate of PWODs who voluntarily separated is 6.13%. The inclusion rate for PWDs who involuntarily separated is 0.27%, and the inclusion rate of PWOD who involuntarily separated is 0.15%.

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	209	0.34	0.17
Permanent Workforce: Resignation	2421	2.76	2.00
Permanent Workforce: Retirement	3761	2.45	3.26
Permanent Workforce: Other Separations	1908	2.60	1.55
Permanent Workforce: Total Separations	8299	8.15	6.98

3. Using the inclusion rate as the benchmark, did the percentage of PWTD among voluntary and involuntary separations exceed that of persons without targeted disabilities? If “yes”, describe the trigger below.

a. Voluntary Separations (PWTD) Answer Yes

b. Involuntary Separations (PWTD) Answer No

The inclusion rate for PWTDs who voluntarily separated is 7.48% and the inclusion rate for PWOD who voluntarily separated is 6.13%. The inclusion rate for PWTDs who were involuntarily separated is 0.37% and the inclusion rate for PWODs is 0.15%.

Seperations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	209	0.36	0.18
Permanent Workforce: Resignation	2421	2.29	2.06
Permanent Workforce: Retirement	3761	2.71	3.21
Permanent Workforce: Other Separations	1908	2.29	1.61
Permanent Workforce: Total Separations	8299	7.65	7.05

4. If a trigger exists involving the separation rate of PWD and/or PWTD, please explain why they left the agency using exit interview results and other data sources.

Currently, DOJ is unable to explain the reason for the disparity in separations. EEO complaint data involving denial, delay, or ineffective reasonable accommodation as an issue, falls below the government-wide average (benchmark) for complaints regarding reasonable accommodation. Therefore, it does not appear that claims regarding reasonable accommodation caused higher rates of

separation among PWDs and PWTDs.

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

Pursuant to 29 CFR §1614.203(d)(4), federal agencies are required to inform applicants and employees of their rights under Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794(b), concerning the accessibility of agency technology, and the Architectural Barriers Act of 1968 (42 U.S.C. § 4151-4157), concerning the accessibility of agency facilities. In addition, agencies are required to inform individuals where to file complaints if other agencies are responsible for a violation.

1. Please provide the internet address on the agency’s public website for its notice explaining employees’ and applicants’ rights under Section 508 of the Rehabilitation Act, including a description of how to file a complaint.

<https://www.justice.gov/accessibility/accessibility-statement>

2. Please provide the internet address on the agency’s public website for its notice explaining employees’ and applicants’ rights under the Architectural Barriers Act, including a description of how to file a complaint.

<https://www.justice.gov/jmd/complaint-processing>

3. Describe any programs, policies, or practices that the agency has undertaken, or plans on undertaking over the next fiscal year, designed to improve accessibility of agency facilities and/or technology.

DOJ will continue to support its Assistive Technology Resource Center (ATRC), which is managed by the JMD Office of the Chief Information Officer, to determine ways to ensure access to products and services. In FY 2023, the ATRC provided the following training: Utilizing Deaf Access Services, Creating Accessible PDF Documents Using Adobe Acrobat DC, and Accessibility Remediation Application Training, which is a technology that is used to make documents accessible. The agency updated its guidance for both employees and the general public to provide feedback about Section 508 compliance issues and how to file a section 508 complaint.

C. REASONABLE ACCOMMODATION PROGRAM

Pursuant to 29 C.F.R. § 1614.203(d)(3), agencies must adopt, post on their public website, and make available to all job applicants and employees, reasonable accommodation procedures.

1. Please provide the average time frame for processing initial requests for reasonable accommodations during the reporting period. (Please do not include previously approved requests with repetitive accommodations, such as interpreting services.)

Per DOJ policy, deciding officials and/or supervisors must resolve requests for reasonable accommodations within a maximum of 30 business days, depending upon whether there are extenuating circumstances. During the fiscal year, DOJ launched a reasonable accommodation tracking system within JMD. This tracking system will be expanded to other DOJ OBDs upon completion of a one-year pilot within JMD. The tracking system has the capacity to generate an average processing time frame.

2. Describe the effectiveness of the policies, procedures, or practices to implement the agency’s reasonable accommodation program. Some examples of an effective program include timely processing requests, timely providing approved accommodations, conducting training for managers and supervisors, and monitoring accommodation requests for trends.

Reasonable accommodation training was provided to DOJ Component managers and supervisors. Employees were also encouraged to take reasonable accommodation training that is available virtually through the DOJ learning management system.

D. PERSONAL ASSISTANCE SERVICES ALLOWING EMPLOYEES TO PARTICIPATE IN THE

WORKPLACE

Pursuant to 29 CFR §1614.203(d)(5), federal agencies, as an aspect of affirmative action, are required to provide personal assistance services (PAS) to employees who need them because of a targeted disability, unless doing so would impose an undue hardship on the agency.

Describe the effectiveness of the policies, procedures, or practices to implement the PAS requirement. Some examples of an effective program include timely processing requests for PAS, timely providing approved services, conducting training for managers and supervisors, and monitoring PAS requests for trends.

DOJ received three requests to provide personal assistance services (PAS) in FY 2023. Requests for PAS are addressed in the same manner as requests for reasonable accommodations.

Section VII: EEO Complaint and Findings Data

A. EEO COMPLAINT DATA INVOLVING HARASSMENT

- 1. During the last fiscal year, did a higher percentage of PWD file a formal EEO complaint alleging harassment, as compared to the governmentwide average?

Answer No

- 2. During the last fiscal year, did any complaints alleging harassment based on disability status result in a finding of discrimination or a settlement agreement?

Answer Yes

- 3. If the agency had one or more findings of discrimination alleging harassment based on disability status during the last fiscal year, please describe the corrective measures taken by the agency.

There was one finding of discrimination under a theory of harassment based on disability. The relief ordered included back pay, pecuniary damages, compensatory damages for emotional distress, reasonable attorney’s fees, reinstatement or front pay, review of agency policies/procedures, training for relevant staff, modification of performance appraisals and posting a notice of a finding of discrimination at the relevant facility.

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

- 1. During the last fiscal year, did a higher percentage of PWD file a formal EEO complaint alleging failure to provide a reasonable accommodation, as compared to the government-wide average?

Answer No

- 2. During the last fiscal year, did any complaints alleging failure to provide reasonable accommodation result in a finding of discrimination or a settlement agreement?

Answer Yes

- 3. If the agency had one or more findings of discrimination involving the failure to provide a reasonable accommodation during the last fiscal year, please describe the corrective measures taken by the agency.

There was one finding of discrimination for failure to provide a reasonable accommodation. The Department’s corrective action included reinstatement with back pay, compensatory damages, reasonable attorney’s fees, reasonable accommodation training to relevant management officials and posting a notice about the finding of discrimination at the relevant facility.

Section VIII: Identification and Removal of Barriers

Element D of MD-715 requires agencies to conduct a barrier analysis when a trigger suggests that a policy, procedure, or practice may be impeding the employment opportunities of a protected EEO group.

1. Has the agency identified any barriers (policies, procedures, and/or practices) that affect employment opportunities for PWD and/or PWTD?

Answer No

2. Has the agency established a plan to correct the barrier(s) involving PWD and/or PWTD?

Answer Yes

3. Identify each trigger and plan to remove the barrier(s), including the identified barrier(s), objective(s), responsible official(s), planned activities, and, where applicable, accomplishments

Source of the Trigger:		Workforce Data (if so identify the table)			
Specific Workforce Data Table:		Workforce Data Table - B1			
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:		The agency continues to have a predominance of personnel who are PWD in the lower grade cluster, but it does not meet the benchmark in the higher-grade cluster. While the agency exceeded the applicable benchmark regarding PWTD in the lower grade cluster, it does not meet the applicable benchmark as detailed in section one in the higher-grade cluster.			
Provide a brief narrative describing the condition at issue.					
How was the condition recognized as a potential barrier?					
STATEMENT OF BARRIER GROUPS:		<i>Barrier Group</i>			
		People with Disabilities			
		People with Targeted Disabilities			
Barrier Analysis Process Completed?:		Y			
Barrier(s) Identified?:		Y			
STATEMENT OF IDENTIFIED BARRIER:		Barrier Name		Description of Policy, Procedure, or Practice	
Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		Insufficient applicants who are PWD and PWTD		It is suspected that there may be insufficient applicants who are PWD and PWTD who could be candidates for positions in the higher-grade cluster.	
Objective(s) and Dates for EEO Plan					
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
10/01/2023	09/30/2025	Yes			Increase the external job candidate pool of PWD/ PWTD for higher grade level positions and increase the pipeline of internal job candidates who are PWD/ PWTD for the positions in the higher-grade cluster.
Responsible Official(s)					
Title		Name		Standards Address The Plan?	
JMD HR Director		Melody Armstrong		Yes	
JMD EEO Staff Director		Richard Toscano		Yes	

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2025	The JMD EEO Staff will continue to assist DOJ hiring officials with recruiting and identifying opportunities to increase the job applicant pool with qualified candidates who are PWD and PWTD for higher-grade cluster positions.	Yes		
09/30/2025	Promote and offer additional training on the use of OPM’s ATP to identify applicants who are PWD and PWTD.	Yes		
09/30/2025	Identify and increase participation in specific outreach and recruitment activities that target applicants with disabilities for current DOJ job opportunities.	Yes		
09/30/2025	Review all occupations and identify job series with occupational requirements that may preclude employment of PWD.	Yes		
09/30/2025	Identify a specific organization that supports PWD to create a formal partnership.	Yes		
09/30/2025	Continue to annually resurvey the DOJ workforce to account for disability status.	Yes		
09/30/2025	Continue to provide training to agency management and staff on the DOJ reasonable accommodation policy and instruction.	Yes		
09/30/2025	Collaborate with the Attorney General’s Advisory Committee on PWD to develop a peer mentoring program for PWD as a supportive resource when new employees with disabilities join the agency.	Yes		
Report of Accomplishments				
Fiscal Year	Accomplishment			
2023	The JMD EEO Staff assisted DOJ Components and their recruiting and hiring officials by identifying and participating in eight career fairs specifically focused on hiring PWDs. DOJ Components used the WRP and the ATP to identify qualified persons with disabilities to fill job vacancies. JMD HR included information on the RA process within internal career development program announcements to encourage participation of PWD and PWTD in career development programs.			

4. Please explain the factor(s) that prevented the agency from timely completing any of the planned activities.

DOJ completed most of the planned activities that were identified in the FY 2023 Affirmative Action Plan. Several planned activities are ongoing.

5. For the planned activities that were completed, please describe the actual impact of those activities toward eliminating the barrier(s).

DOJ made progress during the review period by doing the following: continued to educate and promote the use of the Schedule A, section (u) hiring authority in an effort to increase its use; identified and conducted outreach with external organizations that focus on supporting PWD to share information about DOJ employment opportunities; and increased collaboration with DOJ Components

when participating in outreach and recruiting events targeted for PWD.

6. If the planned activities did not correct the trigger(s) and/or barrier(s), please describe how the agency intends to improve the plan for the next fiscal year.

DOJ plans to continue implementation of the stated planned activities and will consider conducting other potential activities during the fiscal year to address suspected barriers.