

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

To capture agencies' affirmative action plan for persons with disabilities (PWD) and persons with targeted disabilities (PWTD), EEOC regulations (29 C.F.R. § 1614.203(e)) and MD-715 require agencies to describe how their affirmative action plan 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 Yes |
| b. Cluster GS-11 to SES (PWD) | Answer Yes |

The percentage of PWD in the GS-1 to GS-10 cluster is 9.8% and the percentage of PWD in the GS-11 to SES cluster is 4.28%.

*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 2.49% and the percentage of PWTD in the GS-11 to SES cluster is 1.0%.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numerical Goal	--	12%		2%	
Grades GS-1 to GS-10	11749	1034	8.80	263	2.24
Grades GS-11 to SES	65205	2824	4.33	662	1.02

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

The Justice Management Division (JMD) Equal Employment Opportunity (EEO) Staff briefed Department of Justice (DOJ) EEO officials, the Office of Attorney Recruitment and Management (OARM), and Human Resources (HR) officials about the numerical hiring goals and best practices to incorporate in their recruitment and hiring efforts.

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

During FY 2019, the agency hired a Departmental Disability Employment Program Manager, which will increase the agency’s ability to implement the disability employment program. During FY 2019, several DOJ components filled vacancies for a Disability Employment Program Manager. Training is also being developed for Selective Placement Program Coordinators in the department.

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	Lisa Mendis DOJ Section 508 Coordinator Lisa.Mendis@usdoj.gov
Architectural Barriers Act Compliance	1	0	0	Scott Snell Director Scott.Snell@usdoj.gov
Processing applications from PWD and PWTD	1	0	0	Karen Humes-Dancy Human Resources Specialist Karen.Humes- Dancy@usdoj.gov
Special Emphasis Program for PWD and PWTD	1	0	0	Annette.M.Garland@usdoj.
Processing reasonable accommodation requests from applicants and employees	1	0	0	Karen Humes-Dancy Human Resources Specialist Karen.Humes- Dancy@usdoj.gov
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Karen Humes-Dancy Human Resources Specialist Karen.Humes- Dancy@usdoj.gov

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 disability program staff received training from the National Employment Law Institute during the review period entitled the “Americans with Disabilities Act Workshop.” Two U.S. Equal Employment Opportunity Commission (EEOC) attorneys provided training to DOJ reasonable accommodation coordinators. DOJ disability program staff also regularly participated in the Federal Exchange on Employment in Disability or “FEED” meetings sponsored by the U.S. Department of Labor (DOL) and the EEOC. The disability program staff also participated in a half-day symposium sponsored by the DOJ Civil Division entitled “Disability Awareness in the Workplace.”

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

In late FY 2018, the JMD EEO Staff was approved to receive a FTE position at the GS 13/14 level in FY 2019 to serve as the Departmental Disability Employment Manager. In March 2019, the position was filled. Additional funding for targeted employment outreach, including outreach to PWD, has been requested for FY 2020. Additional funding will help to identify qualified individuals with disabilities who are eligible for appointment under Schedule A, section (u) appointment authority. In addition, the JMD EEO Staff will seek necessary resources to develop a “library” of applicants with disabilities that have been identified through targeted outreach. In FY 2020, the JMD EEO Staff will research commercial off the shelf IT applications for tracking reasonable accommodation that could be used by DOJ Offices, Boards, and Divisions (OBD), and through DOJ’s budget process, justify and request needed funding.

Section III: Program Deficiencies In The Disability Program

Brief Description of Program Deficiency	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]
Brief Description of Program Deficiency	B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women’s Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]
Brief Description of Program Deficiency	C.2.a.6. Do the agency’s training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]
Brief Description of Program Deficiency	E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]

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 PWTDD

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 PWD with opportunities to be considered for employment. They can search current employment opportunities posted on both USAJOBS and on the DOJ website at doj.gov/careers. For attorney and law student opportunities at DOJ, PWD can review DOJ’s legal careers web page to search the listed vacancies. In addition, PWD can also reach out to a DOJ Component SPPC for competitive service hiring, or a Disability Point of Contact (DPOC) for attorney hiring, to express interest in being considered non-competitively through the Schedule A hiring process. Information about the Schedule A, Section (u) appointment authority and contact information for SPPCs and DPOC for attorney hiring are posted on the DOJ “Careers” webpage. Some DOJ Components began using the Office of Personnel Management’s (OPM) Talent Portal to search active resumes on USAJOBS to identify candidates who are eligible for non-competitive hire under Schedule A, Section (u) or a veterans hiring authority. Training is being developed for SPPCs and will include a segment on the use of OPM’s Talent Portal. The JMD EEO Staff, in coordination with other DOJ Components, regularly participates in employment outreach events targeting persons with disabilities and persons with targeted disabilities, such as the Virtual Career Fair for persons with disabilities sponsored by Bender Consulting. During these

events, the JMD EEO Staff provides information about DOJ’s mission, career opportunities, current job vacancies, special programs, such as Pathways, and employment related resources specifically available to PWD. The Criminal Division used the Workforce Recruitment Program (WRP) Database administered by the DOL Office of Disability Employment Policy, as a resource to find students and recent graduates with disabilities. The Criminal Division HR staff identified job candidates from the database and sent those resumes to hiring managers who could make non-competitive selections before the job vacancy announcement was posted. The WRP program uses Federal employees to interview and document those interviews to identify qualified students and recent graduates for the program. A Criminal Division HR Specialist participated as an interviewer/assessor to assist DOL in identifying qualified candidates for the WRP database. JMD EEO Staff also served as interviewers/assessors for the WRP during this review period. It is anticipated that 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 PWD and the appropriate use of Schedule A, Section (u).

- 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 PWD 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 establishes new contacts with organizations by participating in employment outreach events targeting PWD, and is in regular contact with the following organizations that assist PWD in employment: Bender Consulting (Virtual Career Fair for PWD); the National Association of Law Students with Disabilities; Gallaudet University; the Division of Workforce Development and Adult Learning, within the Maryland Department of Labor Licensing and Regulation; DOL Office of Disability Employment Policy, and the Veterans Administration.

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 Yes

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

The rate of new hires who are PWD is 8.51% and the rate of new hires who are PWTD is 1.54%, which are below the 12% and 2.0% benchmarks respectively.

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	0				

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 applicant flow data.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability		Targetable Disability	
		Qualified Applicants (%)	New Hires (%)	Qualified Applicants (%)	New Hires (%)
Numerical Goal	--	12%		2%	
0007CORRECTION OFFICER	0	0.00	0.00	0.00	0.00
0905GENERAL ATTORNEY	0	0.00	0.00	0.00	0.00
1811CRIMINAL INVESTIGATOR	0	0.00	0.00	0.00	0.00

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 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 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 PWD, and when necessary make adjustments. In FY 2019, DOJ will: • Consider developing a career development program to specifically support PWD at DOJ; • Continue to include information on how to request a reasonable accommodation, if needed, for career development programs and training; • Relaunch the Disability Roundtable series to educate employees on various issues related to disability employment, such as accommodations and information regarding specific types of disabilities, programs that enhance opportunities for PWD, and the use of inspiring speakers who have experienced tremendous success despite limitations and challenges due to their disability; • Foster greater collaboration between the Attorney General’s Advisory Committee on Persons with Disabilities, DOJ HR and EEO professionals to develop programs in support of PWD; and • 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.

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. 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. Current personnel data systems are unable to capture applicant flow data by RNO, gender, and disability for participation in all of the career development programs, and internal competitive promotions/selections for major occupations at mid-level grades to the Senior Executive Service. (Note: 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/or disability of employees participating in career development programs.). Therefore, very limited information is readily available regarding career development programs, and it is unavailable regarding internal competitive promotions/selections. In FY 2018, OARM started requesting, on a volunteer basis, disability status for candidates and selectees for the Department’s Summer Law Intern Program.

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 (%)
Coaching Programs						
Detail Programs						
Internship Programs	663	59	0.3	3.39	0.15	1.69
Fellowship Programs						
Other Career Development Programs						
Mentoring Programs	24	8	8.0	8.0		

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
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 Yes
- b. Selections (PWD) Answer Yes

DOJ is unable to determine if there are triggers in all of its career development programs as requested above, due to the unavailability of relevant applicant flow data. The agency began to capture data regarding its legal internship program (law students) in FY 2018, as noted above. Based upon this data, it appears that there is a trigger with regard to PWD due to the low participation rate of interns with disabilities. DOJ, through its 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 DPOC on the DOJ public website. The DPOC are a resource within DOJ components who provide information for PWD about attorney hiring. In FY 2018 OARM began using OPM’s Talent Portal to identify candidates who qualify for consideration per the Schedule A, Section (u) hiring authority in order to include candidates with disabilities for the applicant pool. DOJ does not have applicant flow data regarding the LEAP, which prepares employees for senior level and executive positions and falls in the category of “Other Career Development Programs.” Since the initial application process for this Department-wide program is decentralized, and handled within various DOJ component HR offices, information about applicants for this program is unavailable. Only demographic information is available about selectees. In FY 2018, 34 employees were selected for this year-long developmental program. Four of the selectees identified as PWD, and one employee within this group indicated having a targeted disability. The DOJ Mentoring Program is limited to DOJ employees who work in the Washington D.C. metropolitan area, and the number of employees who are selected for this program is driven by the number of mentors who are available. There does not appear to be a trigger when reviewing the applicant pool and selectees for this program.

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

DOJ is unable to determine if there are triggers regarding PWTD in most of the career development programs identified above, due to the unavailability of relevant applicant flow data.

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 Yes
- b. Awards, Bonuses, & Incentives (PWTD) Answer Yes

The inclusion rate for PWD who received a cash award in the category \$500+ is 41% while the inclusion rate for PWOD is 51%. The inclusion rate for PWTD is lower in three award levels as compared to PWOD noted below: Time off awards (1-9 hours)

PWTD: 17% and PWOD 24% Time off awards (9 +hours) PWTD: 29% and PWOD 30% Cash award (\$500+) PWTD: 43% and PWOD:51%

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards: 1-9 hours : Total Time-Off Awards Given	24859	6.18	91.62	1.47	4.71
Time-Off Awards: 9+ hours : Total Time-Off Awards Given	33462	5.40	92.24	1.26	4.14

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$100 - \$500: Total Cash Awards Given	27004	5.94	94.06	1.58	4.36
Cash Awards: \$501+: Total Cash Awards Given	56368	4.32	95.68	1.11	3.22

2. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTD 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 (PWTD) Answer Yes

The inclusion rate for PWD who received a quality step increase (QSIs) is 9.7% and the inclusion rates for PWTD and PWOD who received a QSI are 8.29% and 8.24%, respectively. The inclusion rate is slightly higher for PWD overall as compared with the smaller group of employees that are categorized as PWTD.

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Quality Step Increases (QSI): Total QSIs Awarded	9266	6.24	93.76	1.28	4.95
Performance Based Pay Increase	0	0.00	0.00	0.00	0.00

3. If the agency has other types of employee recognition programs, are PWD and/or PWTD 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 (PWTD) 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 due to the unavailability of relevant applicant flow data for internal promotions to senior grade levels.

2. Does your agency have a trigger involving PWTB 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 (PWTB)	Answer	No
ii. Internal Selections (PWTB)	Answer	No
b. Grade GS-15		
i. Qualified Internal Applicants (PWTB)	Answer	No
ii. Internal Selections (PWTB)	Answer	No
c. Grade GS-14		
i. Qualified Internal Applicants (PWTB)	Answer	No
ii. Internal Selections (PWTB)	Answer	No
d. Grade GS-13		
i. Qualified Internal Applicants (PWTB)	Answer	No
ii. Internal Selections (PWTB)	Answer	No

Unable to determine if there are triggers due to the unavailability of relevant applicant flow data for internal promotions to senior grade levels.

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 due to the unavailability of relevant applicant flow data for internal promotions to senior grade levels.

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 due to the unavailability of relevant applicant flow data for internal promotions to senior grade levels.

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 due to the unavailability of relevant applicant flow data for internal job selections.

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 due to the unavailability of relevant applicant flow data for internal job selections.

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 due to the unavailability of relevant applicant flow data for new hires to supervisory positions.

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 due to the unavailability of relevant applicant flow data for new hires to supervisory positions.

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 Yes

DOJ converted 51 employees who were hired pursuant to Schedule A, Section (u). There were 42 employees who were eligible for conversion across DOJ components, but were not converted within the two-year regulatory time-frame. We are unable to determine why those employees were not converted. The JMD EEO Staff will coordinate with JMD HR to contact the DOJ Components that did not complete timely conversions, determine the reasons why the conversions did not occur, and ensure that they are converted as appropriate.

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 Yes

b. Involuntary Separations (PWD) Answer Yes

The inclusion rate for PWD who voluntarily separated from the agency is 7.9% and the inclusion rate of Persons without Disabilities (PWOD) who voluntarily separated is 6.9%. The inclusion rate for PWD who involuntarily separated 0.79%, and the inclusion rate of PWOD who involuntarily separated is 0.32%.

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permenant Workforce	111065	5.33	94.67
Total Separations	7475	6.93	93.07
Voluntary Separations	7137	6.60	93.40
Involuntary Separations	338	13.91	86.09

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 Yes

The inclusion rate for PWTD who voluntarily separated is 8.2% and the inclusion rate for PWOD who voluntarily separated is 6.9%. The inclusion rate for PWTD who were involuntarily separated is 0.90% and the inclusion rate for PWOD is 0.32%.

Seperations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permenant Workforce	111065	1.29	98.71
Total Separations	7475	1.75	98.25
Voluntary Separations	7137	1.65	98.35
Involuntary Separations	338	3.85	96.15

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 reasons for the disparity in separations. However, JMD HR staff developed a new electronic exit survey system during FY 2018, which launched in March 2019. This exit survey system will be used initially in the DOJ OBD. It is anticipated that DOJ components, such as its law enforcement organizations, that use separate personnel systems will also use this exit survey system. EEO complaint data involving denial, delay, or ineffective reasonable accommodation as an issue, falls below the government-wide average for complaints in this area. Therefore, it does not appear that failure to provide reasonable accommodation has caused higher rates of separation among PWD and PWTD.

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/jmd/page/file/1018261/download>

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 partner with the Department of Defense, Computer Electronic Accommodations Program and support its Assistive Technology Resource Center, which is managed by the JMD Office of the Chief Information Officer (OCIO), to determine ways to ensure access to products and services. JMD OCIO offered an Accessibility Training series in FY 2018. The series trained employees to create and convert DOJ electronic documents into a 508 compliant format. OCIO also launched the DOJ Accessible Electronic Community of Practice group (AED COP). The AED COP was established to raise awareness and encourage sharing of information across the department. The AED COP fosters a supportive 508 community and is a mechanism for developing and sharing best practices. In September 2018, JMD OCIO hosted the Digital Accessibility Symposium focused on ensuring section 508 compliance in information and communication technology systems, acquisitions, and electronic documents. This event was open to the DOJ workforce and partner organizations.

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.)

Currently, data is unavailable regarding the average time-frame to process reasonable accommodation requests. Per DOJ policy, deciding officials and/or supervisors must resolve requests for reasonable accommodations within a maximum of 30 business days (or less), depending upon whether there are extenuating circumstances.

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.

Unable to determine the effectiveness of efforts to respond to requests for reasonable accommodations at this time. Training regarding reasonable accommodation is provided across the Department for managers and supervisors, as part of the employee onboarding process, at management conferences, and at annual all employee conferences. The Department's policy and instruction to provide reasonable accommodation was approved by the EEOC in a letter dated November 28, 2018, in which it also approved the Department's Affirmative Action Plan. The policy and instruction, which are also included as attachments to this MD-715 report, are pending final approval by the Department's senior leadership. Personal Assistance Services are addressed in the Department's Reasonable Accommodation Instructions.

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.

Unable to determine the effectiveness of efforts to provide personal assistance services (PAS) at this time. DOJ provided PAS to eligible employees prior to the new regulatory requirement, which became effective in January 2018. Requests for PAS are addressed in the same manner as requests for reasonable accommodations. DOJ does not have specific data for processing time-frames and trends regarding the provision of PAS.

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 were no findings of discrimination alleging harassment based upon disability status.

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 were no findings of discrimination alleging failure to provide a reasonable accommodation

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 N/A

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

<p>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>The percentage of PWD in the GS-1 to GS-10 cluster is 9.8% and the percentage of PWD in the GS-11 to SES cluster is 4.28%. The percentage of PWTD in the GS-1 to GS-10 cluster is 2.49% and the percentage of PWTD in the GS-11 to SES cluster is 1.0%.</p>				
<p>STATEMENT OF BARRIER GROUPS:</p>	<p><i>Barrier Group</i></p> <p>People with Disabilities</p> <p>People with Targeted Disabilities</p>				
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>					
<p>STATEMENT OF IDENTIFIED BARRIER:</p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>It is suspected that there may be insufficient applicants who are PWD for available positions in both grade clusters, and particularly for PWD and PWTD who could be candidates for positions in the higher grade cluster.</p>				
<p>Objective</p>	<p>Increase the job candidate pool of PWD/PWTD for all grade levels, and increase the pipeline of internal job candidates who are PWD/PWTD for the positions in the higher grade cluster.</p> <table border="1" data-bbox="487 976 779 1119"> <tr> <td>Date Objective Initiated</td> <td>Sep 30, 2018</td> </tr> <tr> <td>Target Date For Completion Of Objective</td> <td>Sep 30, 2020</td> </tr> </table>	Date Objective Initiated	Sep 30, 2018	Target Date For Completion Of Objective	Sep 30, 2020
Date Objective Initiated	Sep 30, 2018				
Target Date For Completion Of Objective	Sep 30, 2020				
<p>Responsible Officials</p>	<p>Mary Lamary JMD HR Director</p> <p>Richard Toscano JMD EEO Staff Director</p>				

Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
09/30/2020	The JMD EEO Staff will assist the JMD Departmental HR Office to identify strategies to increase the job applicant pool with candidates who are PWD/PWTD for both grade clusters in an effort to meet the 12% and 2.0% goals. There will also be a particular focus on seeking job candidates who are PWD/PWTD who could be competitive for higher cluster positions.	Yes		
09/30/2020	Identify and increase participation in recruitment activities (in-person and via electronic means) to inform applicants with disabilities of current DOJ job opportunities.	No		
09/30/2020	Continue to annually resurvey the DOJ workforce to account for disability status.	Yes		
09/30/2020	Determine whether the agency can develop a Career Opportunities Training Agreement (COTA) Program, in accordance OPM regulations, that would support PWD in becoming qualified for positions with greater promotion potential into the higher grade cluster. This COTA program helps employees to obtain the necessary qualifications to qualify for positions in job series that have greater promotion potential.	Yes		
09/30/2020	Complete development of a searchable Schedule A, Section (u) database or "library" of job candidates and launch a pilot program to collect and maintain resumes on job candidates for certain DOJ mission-critical jobs. This "library" will be accessible to DOJ Component HR officials.	No		
Fiscal Year	Accomplishments			
2018	<p>See the attached information on disability employment accomplishments from the FY 2018 DOJ FEORP.</p> <p>In addition, JMD HR began including information on how to request a reasonable accommodation within some internal career development program announcements (LEAP and DOJ mentoring program) to encourage participation of PWD and PWTD in career development programs.</p>			

<p>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>The inclusion rate for PWD who received QSIs is 9.7% and the inclusion rates for PWTD and PWOD are 8.29% and 8.24%, respectively.</p>							
<p>STATEMENT OF BARRIER GROUPS:</p>	<p><i>Barrier Group</i></p> <p>People with Disabilities</p> <p>People with Targeted Disabilities</p>							
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>								
<p>STATEMENT OF IDENTIFIED BARRIER:</p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>It has not been determined why there is a lower inclusion rate for PWTD as compared to PWD, although their inclusion rate is slightly higher than PWOD.</p>							
<p>Objective</p>	<p>Determine whether there is a barrier that has caused the difference in inclusion rates.</p> <table border="1" data-bbox="443 951 1513 1098"> <tr> <td data-bbox="443 951 646 1014">Date Objective Initiated</td> <td data-bbox="646 951 1513 1014">Sep 30, 2018</td> </tr> <tr> <td data-bbox="443 1014 646 1098">Target Date For Completion Of Objective</td> <td data-bbox="646 1014 1513 1098">Sep 30, 2020</td> </tr> </table>				Date Objective Initiated	Sep 30, 2018	Target Date For Completion Of Objective	Sep 30, 2020
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<p>Target Date (mm/dd/yyyy)</p>	<p>Planned Activities</p>	<p>Sufficient Staffing & Funding (Yes or No)</p>	<p>Modified Date (mm/dd/yyyy)</p>	<p>Completion Date (mm/dd/yyyy)</p>				
<p>09/30/2020</p>	<p>Provide unconscious bias training to agency management and staff.</p>	<p>No</p>						
<p>09/30/2020</p>	<p>Collaborate with HR offices to review current procedures for awarding QSIs.</p>	<p>No</p>						
<p>Fiscal Year</p>	<p>Accomplishments</p>							
<p>2018</p>	<p>See the attached information on disability employment accomplishments from the FY 2018 DOJ FEORP.</p>							

STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?		The inclusion rates for PWD and PWTD who voluntarily and involuntarily separated from the agency is higher than that of PWOD.						
STATEMENT OF BARRIER GROUPS:		<i>Barrier Group</i> People with Disabilities People with Targeted Disabilities						
BARRIER ANALYSIS: Provide a description of the steps taken and data analyzed to determine cause of the condition.								
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		It has not been determined why inclusion rates for separations of PWD and PWTD are higher than for PWOD.						
Objective		Determine why there are differences in separation rates for PWD and PWTD as compared to PWOD, and increase activities that can support greater inclusion of PWD in the workplace. <table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Date Objective Initiated</td> <td>Sep 30, 2018</td> </tr> <tr> <td>Target Date For Completion Of Objective</td> <td>Sep 30, 2020</td> </tr> </table>			Date Objective Initiated	Sep 30, 2018	Target Date For Completion Of Objective	Sep 30, 2020
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Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)				
09/30/2020	Increase educational activities related to PWD in the workplace.	Yes						
09/30/2020	Provide training to agency management and staff on the updated DOJ RA policy and instruction.	No						
09/30/2020	Review data that will become available from the new electronic exit survey system that was implemented during FY 2019 for DOJ Offices, Boards and Divisions.	Yes						
09/30/2020	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						
Fiscal Year		Accomplishments						
2018		See the attached information on disability employment accomplishments from the FY 2018 DOJ Federal Equal Opportunity Recruitment Program (FEORP).						

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 2017 Affirmative Action Plan. There are a variety of reasons why some of these planned activities were not addressed. DOJ was without a departmental DEPM during the entire review period and the SPPC role within JMD HR changed three times due to staffing issues, i.e. retirement and reassignments. Resources are needed to provide expert level unconscious bias training, and to develop the Schedule A, Section (u) library. It will require a cross DOJ Component effort with support from the various DOJ HR offices to collect information and review the disparity with awarding QSIs and other awards.

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 about the Schedule A, Section (u) hiring authority in an effort to increase the use of that hiring authority; and identified and conducted outreach with external organizations to share information about DOJ employment opportunities. DOJ also continued to educate DOJ HR and EEO officials about the updated Section 501 regulations implementing the Rehabilitation Act of 1973 regarding Affirmative Action and Persons with Disabilities, which became effective in January 2018.

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 cannot at this time, determine what caused the modest decline in the participation rates of PWD and PWTD in the workforce. There was an overall decline in the DOJ workforce over the past year. In addition, other triggers or modest disparities appear due to the participation rate of PWD, including PWTD in the DOJ workforce that is below the goals of 12% and 2.0%, respectively. DOJ plans to continue implementation of the stated planned activities and will consider other potential activities during the fiscal year to address these concerns. It will develop an operational plan to drive this effort.