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

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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 C.F.R. § 1614.203(d)(7)) require agencies to establish specific numerical goals for increasing the participation of persons with reportable and 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 Persons with Disabilities (PWD) in the GS-1 to GS-10 cluster is 8.5% and the percentage of PWD in the GS-11 to SES cluster is 4.15%.

* 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 Persons with Targeted Disabilities (PWTD) in the GS-1 to GS-10 cluster is 2.22%, which slightly exceeds the benchmark of 2%. The percentage of PWTD in the GS-11 to SES cluster is 1.02% and below the benchmark of 2%.

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

JMD EEO Staff regularly briefed DOJ Component HR and EEO Directors, and personnel involved in the recruitment of persons with disabilities on hiring goals.

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 DISABILITY PROGRAM

- 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: No

The JMD EEO Staff received authorization to recruit for the position of Departmental Disability Employment Program Manager.

- 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	
Processing applications from PWD and PWTD	1	0	0	Diedra Roberson Human Resources Specialist, Selective Placement Coordinator JMD/HR Deidra.Roberson@usdoj.gov
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Diedra Roberson Human Resources Specialist, Selective Placement Coordinator JMD/HR Deidra.Roberson@usdoj.gov
Processing reasonable accommodation requests from applicants and employees	1	0	0	
Section 508 Compliance	1	0	0	Jake Bishop Green DOJ Section 508 Coordinator, JMD/Office of the Chief Information Officer Jake.Bishop-Green@usdoj.gov
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 PWTD	1	0	0	Granette Trent, Assistant Director for Affirmative Employment, JMD EEO Staff Granette.Trent@usdoj.gov

- Has the agency provided disability program staff with sufficient training to carry out their responsibilities during the reporting period? If "yes", describe the training(s) that disability program staff have received. If "no", describe the

training(s) planned for the upcoming year.

Answer: Yes

DOJ Component RAC and Selective Placement Program Coordinators were provided training on Schedule A, Section (u) and the new requirements per the "Final Rule to Amend Implementation Regulations for Section 501 of the Rehabilitation Act of 1973."

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

The JMD EEO Staff received authorization to recruit for the position of Departmental Disability Employment Program Manager. In addition, JMD EEO Staff is working to develop an internal "library" of applicants with targeted disabilities who are eligible for appointment under Schedule A, Section (u), and will continue to explore options to develop and procure (pending availability of funds) a comprehensive IT system to document and track requests for reasonable accommodations.

Section III: Program Deficiencies in the Disability Program

In Part G of its FY 2017 MD-715 report, the agency identified the following program deficiencies involving its disability program:

Program Deficiencies	Agency Comments
Are statutory/regulatory EEO related Special Emphasis Programs sufficiently staffed: People With Disabilities Program Manager; Selective Placement Program for Individuals With Disabilities - Section 501 of the Rehabilitation Act; Title 5 U.S.C. Subpart B, Chapter 31, Subchapter I-3102; 5 CFR 213.3102(t) and (u); 5 CFR 315.709	In FY 2018, the JMD EEO Staff received authorization to recruit for the position of Departmental Disability Employment Program Manager.

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 APPLICANTS 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 a number of opportunities to be considered for employment. Persons with disabilities can search current employment opportunities posted on USAJobs, and for attorney and law student opportunities at DOJ, persons with disabilities can review DOJ's legal careers web page to search the listed vacancies. In addition, PWD can also reach out to a DOJ Component Selective Placement Program Coordinator (SPPC) for competitive service hiring, or a Disability Point of Contact 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 Disability Points of Contact for attorney hiring is posted on the DOJ "Careers" webpage. In addition, the U.S. Office of Personnel Management (OPM) maintains a Shared List of People with Disabilities, a database of resumes currently being accessed by DOJ agency representatives, hiring managers and HR personnel. OPM has retained Bender Consulting to recruit, screen and direct candidates with disabilities for placement on the list.

The JMD EEO Staff, in coordination with other DOJ Components, regularly participates in employment outreach events targeting PWD and PWTD. During these events, the JMD EEO Staff will provide information about DOJ's mission, career opportunities, current job opportunities, and resources available to employees with disabilities.

The Criminal Division participated in an OPM pilot called "Resume Mining" in which the Division HR Specialists searched through active resumes on USAJOBS and filtered the searches based upon candidates who were eligible to be hired non-competitively under Schedule A or veteran hiring authorities. Resumes that were mined from the database were sent to Division hiring managers to make non-competitive selections before a vacancy was posted, or in response to an existing posting. In addition, the Criminal Division posted job vacancies specifically for candidates who are veterans or are eligible for hire pursuant to the Schedule A hiring authority.

The U.S. Attorney's Office for the District of Massachusetts continued to work with Career Solutions, a career services agency that provides support for veterans and/or persons with disabilities to develop new job skills and advance professionally. Career Solutions connected the U.S. Attorney's Office with potential applicants, which resulted in a larger and more diverse applicant pool for their available positions.

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 persons with disabilities 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; 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; and the Office of Disability Employment, within the U.S. Department of Labor.

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 9.85% and the rate of new hires who are PWTD is 1.87%, which are below the 12% and 2% benchmarks respectively.

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.

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.

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.

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.

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 that can support the advancement of PWD, and when necessary make adjustments. In FY 2018, DOJ will:

- Consider developing a career development program to specifically support PWD at DOJ;
- Determine if announcements for existing career development programs indicate that PWDs are welcome to apply, and include information on the process to request a reasonable accommodation if needed;
- Continue to provide training on unconscious bias towards PWD;
- Foster greater collaboration between the Attorney General's Advisory Committee on Persons with Disabilities and 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 OPPORTUNITIES

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, 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 career development programs, internal competitive promotions/selections for major occupations and at mid-level grades to the Senior Executive Service. (Note: Per the Office of Personnel Management's "Guide to Data Standards, Part C Training," there are no data codes that allow for Federal agencies to collect, via learning management systems, information on race/ethnicity, gender, and disability status of employees participating in career development programs.) Therefore, this information is unavailable below. In FY 2018, the DOJ Office of Attorney Recruitment and Management started requesting, on a volunteer basis, disability status for the department's Summer Law Intern Program. It is anticipated that relevant data for that program will be available for the next MD-715 reporting cycle.

2. 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 applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Applicants (PWD)

Answer: No

b. Selections (PWD)

Answer: No

Unable to determine if there are triggers due to the unavailability of relevant applicant flow data for career development opportunities.

3. Do triggers exist for PWTD among the applicants and/or selectees for any of the career development programs identified? (The appropriate benchmarks are the relevant applicant pool for applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Applicants (PWTD)

Answer: No

b. Selections (PWTD)

Answer: No

Unable to determine if there are triggers due to the unavailability of relevant applicant flow data for career development opportunities

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

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: Yes

b. Pay Increases (PWTD)

Answer: Yes

The inclusion rate for PWD who received a quality step increase (QSI) is 5.7% and the inclusion rate for PWTD who received a QSI is 1.45%. The inclusion rate for PWOD who received a QSI is 7.9%.

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.

- a. SES

i. Qualified Internal Applicants (PWD)	Answer: No
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ii. Internal Selections (PWD)	Answer: No
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- b. Grade GS-15

i. Qualified Internal Applicants (PWD)	Answer: No
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ii. Internal Selections (PWD)	Answer: No
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- c. Grade GS-14

i. Qualified Internal Applicants (PWD)	Answer: No
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ii. Internal Selections (PWD)	Answer: No
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- d. Grade GS-13

i. Qualified Internal Applicants (PWD)	Answer: No
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ii. Internal Selections (PWD)	Answer: No
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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 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.

- a. SES

i. Qualified Internal Applicants (PWTD)	Answer: No
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ii. Internal Selections (PWTD)	Answer: No
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- b. Grade GS-15

i. Qualified Internal Applicants (PWTD)	Answer: No
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ii. Internal Selections (PWTD)	Answer: No
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- c. Grade GS-14

i. Qualified Internal Applicants (PWTD)	Answer: No
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- | | |
|---|------------|
| 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 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.
- | | |
|-----------------------------|------------|
| 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 new hires to the 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.
- | | |
|------------------------------|------------|
| 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 new hires 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.

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.

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.

- | | |
|------------------------------------|------------|
| 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.

- | | |
|-------------------------------------|------------|
| 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 a 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 personal 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 71 eligible employees who were hired pursuant to Schedule A, Section (u). There were 19 employees hired pursuant to Schedule A, Section (u) who were not converted during the review period. A review of those 19 employee records is being conducted to determine why they were not converted.

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 7.7% and the inclusion rate of PWODs who voluntarily separated is 6.4%. The inclusion rate for PWD who involuntarily separated is .52% and the inclusion rate of PWOD who involuntarily separated is .23%.

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 7.8% and the inclusion rate for PWOD who voluntarily separated is 6.4%. The inclusion rate for PWTD who were involuntarily separated is .54% and the inclusion rate for PWOD is .23%.

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.

The use of exit interviews or surveys to determine possible reasons for employee separations is inconsistent across DOJ Components; thus DOJ is unable to explain reasons for separations. For instance, one component conducts in-person interviews of every attorney who voluntarily leaves that particular DOJ agency and has a separate system in which that information is documented; another DOJ component uses Survey Monkey to collect exit data, which is aggregated and used to create a retention plan.

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

Pursuant to 29 C.F.R. § 1614.203(d)(4), federal agencies are required to inform job 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 operationally managed by the JMD Office of the Chief Information Officer to determine ways to ensure access to products and services.

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.)

Data on average timeframe to process reasonable accommodation requests is unavailable at this time. Per current DOJ policy, deciding officials and/or supervisors must resolve requests for reasonable accommodations within a maximum of 30 days, 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 in the components for managers and supervisors, as part of the employee onboarding process, at management conferences, and at annual all employee conferences.

D. PERSONAL ASSISTANCE SERVICES ALLOWING EMPLOYEES TO PARTICIPATE IN THE WORKPLACE

Pursuant to 29 C.F.R. § 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, 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 at this time. DOJ provided PAS to eligible employees prior to the new regulatory requirement. 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. Information regarding personal assistance services is available to DOJ employees and applicants for DOJ employment at the attached link on the public facing webpage <https://www.justice.gov/jmd/affirmative-employment-special-emphasis-programs>. The DOJ reasonable accommodation procedures, currently under review by the EEOC, contain additional information about how to request PAS and the extent of that service. DOJ Executive Officers and HROs within DOJ components were recently instructed to disseminate information that was provided to them about PAS to the employees in their respective organizations.

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 government-wide 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.

The percentage of formal complaints of harassment and disability status is 9.64%, which is less than the government-wide average of 14.23%. There were two complaints alleging disability status and harassment that resulted in findings of discrimination. In the first case, the corrective action included a change in the annual performance rating, compensatory damages, attorney's fees, and a posting notification of the finding. In the second case, the corrective action included compensatory damages, restoration of leave, training, and a posting notification of findings.

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: No

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.

Note: (1) The percentage of PWD who filed a formal EEO complaint alleging failure to provide a reasonable accommodation is 6.11%, which is below the government-wide benchmark of 9.74%.

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.

Trigger 1	The rate of participation in the GS1-10 grade level cluster for PWD is 8.5% and the rate of PWTD in the GS11-SES level cluster is 1.02%. These participation rates indicate that PWD, to include PWTD, are primarily located in the lower grade cluster. Also, the rate of new hires who are PWD for the permanent workforce is 9.85% (1.87% for PWTD) of 4,964 permanent new hires during the review period (85.35% PWOD).	
Barrier(s)	It is suspected that there may be insufficient applicants who are PWD for available positions in both grade clusters, and particularly for PWD, including PWTD who could be candidates for positions in the higher grade cluster.	
Objective(s)	Increase the job candidate pool of PWD for all grade levels and specifically focus on increasing the pipeline of internal job candidates who are PWD for positions in the higher grade cluster.	
Responsible Official(s)		Performance Standards Address the Plan? (Yes or No)

Responsible Official(s)		Performance Standards Address the Plan? (Yes or No)		
Human Resources Director		Yes		
Barrier Analysis Process Completed? (Yes or No)		Barrier(s) Identified? (Yes or No)		
Yes		Yes		
Sources of Data	Sources Reviewed? (Yes or No)	Identify Information Collected		
Workforce Data Tables	Yes			
Complaint Data (Trends)	Yes	462 Report		
Grievance Data (Trends)	No			
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	Yes	462 Report and DOJ case files		
Climate Assessment Survey (e.g., FEVS)	Yes			
Exit Interview Data	No			
Focus Groups	Yes	Attorney General's Advisory Committee on Persons with Disabilities		
Interviews	No			
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	Yes	Government-wide FEORP		
Other (Please Describe)	No			
Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
09/30/2018	Continue to resurvey the DOJ workforce to account for disability status.	Yes		
09/30/2019	Complete the development of a searchable Schedule A, Section (u) "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.	Yes		
09/30/2019	Include language within internal career development program announcement regarding the process to request a reasonable accommodation, if needed, and encourage PWD participation in these programs. Ensure that internship applications contain the same language.	Yes		

09/30/2019	The JMD EEOS will assist the Departmental HR Office to identify strategies to increase the job applicant pool with candidates who are PWD. Special emphasis will be placed on also identifying job candidates for positions in the upper grade cluster.	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.	Yes		
Fiscal Year	Accomplishments			
2017	See disability employment accomplishments in the FY 2017 MD-715 Executive			

Trigger 2	The inclusion rate for PWD who received a quality step increase (QSI) is 5.7% and the inclusion rate for PWTD who received a QSI is 1.45%. The inclusion rate for PWOD who received a QSI is 7.9%.			
Barrier(s)				
Objective(s)	Determine whether there is a barrier that has caused the difference in inclusion rates.			
Responsible Official(s)		Performance Standards Address the Plan? (Yes or No)		
JMD EEO Director and Human Resources Director		Yes		
Barrier Analysis Process Completed? (Yes or No)		Barrier(s) Identified? (Yes or No)		
Yes		Yes		
Sources of Data	Sources Reviewed? (Yes or No)	Identify Information Collected		
Workforce Data Tables	Yes			
Complaint Data (Trends)	Yes	462 Report		
Grievance Data (Trends)	No			
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	Yes	462 Report and DOJ case files		
Climate Assessment Survey (e.g., FEVS)	Yes			
Exit Interview Data	No			
Focus Groups	Yes	Attorney General's Advisory Committee on Persons with Disabilities		
Interviews	No			
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	Yes	Government-wide FEORP		
Other (Please Describe)	No			

Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
09/30/2019	Conduct a review of QSI awards to determine if barriers exists. Don't believe there is a "program" per se. HR policy allows for employees to be considered for a QSI.	No		
Fiscal Year	Accomplishments			

Trigger 3	The inclusion rate for PWD who voluntarily separate from DOJ employment is 7.7%, which exceeds the inclusion rate for PWOD (6.4%) who voluntarily separate from DOJ employment (PWTD inclusion rate: 7.8%). The inclusion rate for PWD who involuntarily separate from DOJ employment is .52% (PWTD inclusion rate:.54%) and the inclusion rate for PWOD who involuntarily separate is .23%.		
Barrier(s)	It has not been determined as to why inclusion rates for separations of PWD and PWTD are higher than for PWOD.		
Objective(s)	Determine why there are differences in separation inclusion rates for PWD and PWTD as compared to PWOD, and increase activities that can support greater inclusion of PWD in the workplace.		
Responsible Official(s)		Performance Standards Address the Plan? (Yes or No)	
JMD EEO Director and Human Resources Director		Yes	
Barrier Analysis Process Completed? (Yes or No)		Barrier(s) Identified? (Yes or No)	
Yes		Yes	
Sources of Data	Sources Reviewed? (Yes or No)	Identify Information Collected	
Workforce Data Tables	Yes		
Complaint Data (Trends)	Yes	462 Report	
Grievance Data (Trends)	No		
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	Yes	462 Report and DOJ case files	
Climate Assessment Survey (e.g., FEVS)	Yes		
Exit Interview Data	No		
Focus Groups	Yes	Attorney General's Advisory Committee on Persons with Disabilities	
Interviews	No		
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	Yes	Government-wide FEORP	

Sources of Data		Sources Reviewed? (Yes or No)	Identify Information Collected		
Other (Please Describe)		No			
Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)	
09/30/2019	Review current exit processes to: determine what information is collected from employees when they separate from the agency and the type and manner (e.g., interview or survey) information that is collected. Based on this review, determine a potential Department-wide approach to collect and analyze information on why employees separate, and develop an appropriate plan of action to address findings as a result of this data.	Yes			
09/30/2019	Provide unconscious bias training and increase educational activities related to employment of PWD in the workplace.	No			
09/30/2019	Provide refresher training on reasonable accommodation to agency managers and supervisors; provide a briefing on reasonable accommodation to new supervisors as part of their onboarding into that role.	No			
09/30/2019	Collaborate with the Attorney General's Advisory Committee on PWD to develop a peer mentoring program for PWD as a supportive resource when a new employee joins the agency.	Yes			
Fiscal Year	Accomplishments				
2017	See disability employment accomplishments in the FY 2017 MD-715 Executive				

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

DOJ completed the planned activities that were identified in the report for the previous review period.

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: educated those involved in the hiring process about the Schedule A, Section (u) hiring authority in an effort to increase the use of that hiring authority; identified and worked with external organizations to share information about DOJ employment opportunities and regularly convened a workgroup consisting of DOJ HR professionals, EEO personnel and

Selective Placement Program Coordinators to determine and implement the changes needed to comply with the new Section 501 regulations regarding Affirmative Action and 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 cannot determine if the planned activities that were implemented during this reporting period caused the modest increase in the participation rate of PWD and PWTD in the workforce.. However, these activities were critical steps toward increasing their representation within the DOJ workforce.