

## 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 | No  |
| b. Cluster GS-11 to SES (PWD)  | Answer | Yes |

PWD for GS-11 to SES is 6.55% which is below the 12% benchmark.

\*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 |

PWTD for GS-11 to SES is 1.85% which is below the 2% benchmark.

Grade Level Cluster(GS or Alternate Pay Planb)	Total		Reportable Disability		Targeted Disability	
	#		#	%	#	%
Numarical Goal	--			12%		2%
Grades GS-1 to GS-10						
Grades GS-11 to SES						

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

The agency communicated the numerical goals on the internal website and through meetings with managers.

### 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 No

The agency plans to hire two EEO Specialist to assist with barrier analysis.

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	
Processing applications from PWD and PWTB	0	0	1	Susan Engle Selective Placement Program Coordinator susan.engle@nist.gov
Special Emphasis Program for PWD and PWTB	0	0	1	Aimee Generoso Nguyen EEO Specialist aimee.generoso-nguyen@nist.gov
Answering questions from the public about hiring authorities that take disability into account	8	0	0	Megan Beck Staffing Team Supervisor megan.beck@nist.gov
Processing reasonable accommodation requests from applicants and employees	0	0	1	morgan.frycklund@nist.gov
Section 508 Compliance	0	0	1	Kathy Lynch Section 508 Coordinator kathy.lynch@nist.gov
Architectural Barriers Act Compliance	1	0	0	Robert "SKip" Vaughn Chief Facilities Management Officer robert.vaughn@nist.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

Webinars provided by Job Accommodation Network (JAN), Federal Employment Law Training Group (FELTG), and various organizations.

**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 agency on working on budget request for target recruitment for individuals with disabilities. NIST plans to participate in the following job fairs: Gallaudet University and CAREERS & the disABLED Career Expo . Additionally, NIST follows strategies outlined on the DoC Operational Plan.

### Section III: Program Deficiencies In The Disability Program

<b>Brief Description of Program Deficiency</b>	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]		
<b>Objective</b>	Educate staff, managers, and commit additional resources to enable agency to process 100% of RA requests within standard timelines.		
<b>Target Date</b>	Sep 30, 2020		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Oct 1, 2020		Relaunch publicity materials and workshops to educate potential users of RA about the process, and equip managers to be able to identify and implement solutions promptly and effectively.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	

<b>Brief Description of Program Deficiency</b>	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]		
<b>Objective</b>	Plan to secure staffing and funding to properly implement program coordinators for Hispanic, Women, and Disability programs.		
<b>Target Date</b>	Sep 30, 2020		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2020		Secure funding for additional permanent staff and collateral duty assignment to handle program activities for Hispanic, Women, and People with Disabilities.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	

<b>Brief Description of Program Deficiency</b>	C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If “no”, please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.		
<b>Objective</b>	Hire staff and commit resources to better serve staff reasonable accommodation requests.		
<b>Target Date</b>	Sep 30, 2020		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2020		Budget request submission for both CRDO and OHRM for additional staff and resources.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	

### Section IV: Plan to Recruit and Hire Individuals with Disabilities

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

PWD and PWTD

## A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

NIST advertises all vacancies on USAJOBS. NIST utilizes a variety of methods to recruit and employ veterans and individuals with disabilities: Direct-Hire, Delegated Examining, Agency Based, Merit Promotion, and Non-Competitive procedures. NIST also utilizes special appointment authorities such as the Veterans Employment Opportunities Act (VEOA), the Veterans Recruitment Appointment (VRA) Authority, and other appointment authorities (e.g. disabled veterans with 30% or greater disability) as appropriate. NIST's Selective Placement Coordinator maintained a catalogue of applicants eligible for non-competitive hiring authorities such as the Veterans Recruitment Authority, 30% or more disabled Veteran hiring authority and the Schedule A hiring authority for individuals with disabilities. The catalogue is accessible by members of the HR Operations Team so the resumes can be shared with hiring officials as positions become available. The NIST Office of Human Resources Management (OHRM) continuously promotes the use of resume databases such as [www.Vetsuccess.Gov](http://www.Vetsuccess.Gov) to identify veteran candidates to fill vacant positions through the various veteran non-competitive hiring authorities. VetSuccess is an employment resource for Veterans seeking employment and employers who want to hire Veterans. The site allows employers to view resumes of Veterans who are eligible for non-competitive hiring authorities. In FY19, NIST focused on continued recruitment and outreach efforts by utilizing social media outlets to improve the diversity and quality of applicants. NIST utilizes LinkedIn.com to advertise vacant position and search for potential candidates. LinkedIn is a business-oriented social networking service. The site allows users to create profiles and make connections with other users. LinkedIn has several Veteran groups within the network that NIST can alert as positions are advertised. NIST provides detailed information on special hiring authorities on the Careers at NIST webpage (<https://www.nist.gov/careers/special-hiring-authorities-disabled-and-veterans>). This webpage a) promotes and advocates the recruitment, hiring, and advancement of highly qualified veterans b) educates veterans about the types of veterans' preference and special hiring authorities and c) markets current employment opportunities at NIST. NIST's Operations and Strategic Program Division (OSPD) continually educated supervisors and managers on veterans' preference and noncompetitive appointments for disabled veterans during one-on-one recruitment training sessions and management training. Additionally, Department of Commerce (DoC) sends notification to staff regarding Workforce Recruitment Program where hiring officials can access resumes of potential summer interns. Additionally, NIST follows strategies outlined on the DoC Operational Plan.

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

NIST's noncompetitive hiring authorities are the Veterans Recruitment Authority (VRA), 30% or More Disabled Veteran & Schedule A Appointing Authority. The Veteran Recruitment Authority (VRA) authority allows agencies to appoint eligible veterans without competition if the veteran has received a campaign badge for service during a war or in a campaign or expedition; or is a disabled veteran; or has received an Armed Forces Service Medal for participation in a military operation; or is a recently separated veteran (within the last 3 years) and separated under honorable conditions. The 30% or More Disabled Veteran authority allows any veteran with a 30% or more service-connected disability to be noncompetitively appointed. You are eligible if you retired from active military service with a service-connected disability rating of 30% or more; or you have a rating by the Department of Veterans Affairs showing a compensable service-connected disability of 30% or more. The Schedule A authority for people with disabilities is an excepted authority that agencies can use to appoint eligible individuals who have a severe physical, psychological, or intellectual disability. Proof of disability documentation is required.

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.

(1) A disabled individual eligible for a Schedule A appointment is required to submit documentation issued from a licensed medical professional; a licensed vocational rehabilitation specialist; or any Federal agency, State agency, or an agency of the District of Columbia or a US territory that issues or provides disability benefits. The documentation must be signed, on official letterhead, and certify that the applicant is an individual with a severe physical, intellectual, or psychological disability that qualifies him/her for consideration under 5 CFR 213.3102 (u), Schedule A hiring authority, appointment for Persons with Disabilities. (2) NIST's

automated recruitment system, Monster Government Solutions, stores the individual’s application for review by the hiring officials. An explanation of how and when the individual may be appointed is provided in instructions that are sent regarding the certificate.

- 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

“Veteran Employment Training” required annual online training for managers “A Roadmap to Success: Hiring, Retaining, and Including People with Disabilities” required annual online training for managers. NIST Selective Placement Program Coordinator also presented "Non-Competitive Hiring Authorities"

**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.

The Selective Placement Program Coordinator is listed on OPM’s directory so applicants can have a direct contact at NIST. They are able submit their resumes directly to the SPPC. NIST also has access to local Vocational Rehabilitation center. Maryland Department of Education Division of Rehabilitation Services (DORS) has visited NIST to advertise their services and programs.

**C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)**

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

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

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 N/A
- b. New Hires for MCO (PWTD) Answer N/A

Due to multiple data issues resulting from changes in the EEOC’s FY19 workforce data tables, NIST is unable to conduct applicant

flow data analysis for FY19. The data tables contain multiple inconsistencies when analyzing internal selections, interviewed applicants, internal applications, and others. Department of Commerce/Office of Civil Rights is working with relevant stakeholders (Data Analytics, Monster, and NFC) to address these issues.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability		Targetable Disability	
		Qualified Applicants (%)	New Hires (%)	Qualified Applicants (%)	New Hires (%)
Numerical Goal	--	12%		2%	

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 N/A
- b. Qualified Applicants for MCO (PWTD) Answer N/A

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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 N/A
- b. Promotions for MCO (PWTD) Answer N/A

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## 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.

Office of Human Resources Management – Leadership and Employee Development (LED) currently offers several opportunities for employees to gain management and leadership skills. Such training and developmental programs support the efforts of employees in accomplishing their career objectives. NIST also encourages its employees to participate in Department of Commerce opportunities as well as Federal Government-wide career development programs.

**B. CAREER DEVELOPMENT OPPORTUNITIES**

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

NIST offers three leadership programs targeting employees at various stages in their managerial careers. The three programs are announced to all NIST employees. The Foundations of Leadership Program (FLP) arms potential leaders with the competencies and skills needed to navigate the leadership path at NIST. The New Leader Program (NLP) is designed to provide new leaders with the necessary knowledge and skills to be successful in leadership positions at NIST. The program is primarily intended for individuals who have served in a leadership positions for two years or less and who have had little leadership training. The Project Management and Leadership Program (PMLP) develops project management skills tailored to meet the specific needs of NIST Project Managers. Mentoring and coaching sessions are available to participants of the programs. In FY 19, (LED) started a new initiative called, "Leadership for All." NIST believes that every employee can be a leader wherever they are in the organization. The agency also believes in empowering our employees with skills and knowledge in support of the NIST mission. Inspired by feedback from the NIST community, Leadership for All (L4A) makes content from our popular leadership development programs available to the entire staff. Greater access to this content encourages a broad shared knowledge of leadership skills and concepts and fosters the growth of a NIST learning community. L4A helps to ensure that all NIST employees are fluent in the NIST 11 Core Leadership Competencies, which in turn helps to promote an environment of inclusivity and shared perspective. The core competencies are:

**Flexibility/adaptability:** The ability to adapt to and work effectively within a variety of situations, and with various individuals or groups. Flexibility entails understanding and appreciating different and opposing perspectives on an issue, adapting one's approach as the requirements of a situation change, and changing or easily accepting changes in one's own area or job requirements.

**Integrity/honesty (fairness, openness, caring):** Actions are consistent with what one says is important, that is, s/he walks the talk. Communicates intentions and ideas openly and directly, and welcomes openness and honesty, even in difficult negotiations with external parties.

**Problem solving:** An understanding of a situation by breaking it apart into smaller pieces, or tracing the implications of it in a step-by-step way. Problem solving includes organizing the parts of a problem, situation, etc.; making systematic comparisons of different features or aspects; or identifying if-then relationships.

**Organizational skills:** Establishing goals and priorities and a course of action to accomplish them. The ability to effectively plan and use time.

**Conflict management/resolution:** Handles conflict in a positive and constructive manner. Recognizes that conflict can be effectively managed, and is not inherently destructive. Strives to expose and resolve dissatisfactions before they become disputes. Intervenes in emerging and actual disputes to affect positive outcomes.

**Communication:** The ability to mobilize an organization to achieve results by conveying goals and objectives clearly and in a compelling manner. At the more basic levels it is sharing information, while at higher levels it involves supporting a strategy in the face of resistance. Building staff commitment to and resilience in the face of challenging performance goals and situations requires communications that both inform and create understanding above and beyond "what's in it for me." Communication for Results provides information that has this type of impact. Effective expression when presenting ideas or tasks to an individual or group when given time for preparation (includes gestures and nonverbal behavior). Clear expression of ideas in writing and in good grammatical form.

**Motivating others:** Creating an environment that improves the quality and direction of ongoing employee behavior.

**Delegation/empowerment:** Leading others appropriately and effectively by pushing decision making down to the most appropriate level in the organization. Includes providing staff with appropriate responsibilities and resources to be successful in decision making, and holding them accountable for results.

**Leading change:** The ability to develop and implement an organizational vision that integrates key program goals, priorities, values, and other factors. Inherent to this competency is the ability to balance change and continuity; to continually strive to improve customer service and program performance; to create a work environment that encourages creative thinking; and to maintain focus, intensity and persistence, even under adversity.

**Strategic development/thinking :** Strategic development/thinking enables leaders to make decisions with the awareness of their impact to the strategic direction of the organization. It takes into account the leader's awareness of NIST's internal and external environments.

**Service motivation (customer service):** An overarching and genuine commitment to providing service to constituents (customers, staff, and other external stakeholders). At the lower levels the service involves going the extra mile to satisfy the demand, while at the higher levels it involves providing service that reconciles the needs of multiple constituents.

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 (%)
Other Career Development Programs						
Internship Programs						

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Fellowship Programs						
Mentoring Programs						
Coaching Programs						
Training Programs		96		8		3
Detail 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 N/A
- b. Selections (PWD) Answer N/A

Applicants are not being tracked for the programs. LED does not have a formal application process.

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 N/A
- b. Selections (PWTD) Answer N/A

Applicants are not being tracked for the programs. LED does not have a formal application process.

**C. AWARDS**

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

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

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %

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 No



Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
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 N/A

b. Other Types of Recognition (PWTD) Answer N/A

#### 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 N/A

ii. Internal Selections (PWD) Answer N/A

b. Grade GS-15

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

c. Grade GS-14

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

d. Grade GS-13

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

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

- a. SES
  - i. Qualified Internal Applicants (PWTD) Answer N/A
  - ii. Internal Selections (PWTD) Answer N/A
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWTD) Answer N/A
  - ii. Internal Selections (PWTD) Answer N/A
- c. Grade GS-14
  - i. Qualified Internal Applicants (PWTD) Answer N/A
  - ii. Internal Selections (PWTD) Answer N/A
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWTD) Answer N/A
  - ii. Internal Selections (PWTD) Answer N/A

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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 N/A
  - b. New Hires to GS-15 (PWD) Answer N/A
  - c. New Hires to GS-14 (PWD) Answer N/A
  - d. New Hires to GS-13 (PWD) Answer N/A

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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 N/A
  - b. New Hires to GS-15 (PWTD) Answer N/A
  - c. New Hires to GS-14 (PWTD) Answer N/A
  - d. New Hires to GS-13 (PWTD) Answer N/A

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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 N/A

ii. Internal Selections (PWD) Answer N/A

b. Managers

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

c. Supervisors

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

Due to multiple data issues resulting from changes in the EEOC's FY19 workforce data tables, NIST is unable to conduct applicant flow data analysis for FY19. The data tables contain multiple inconsistencies when analyzing internal selections, interviewed applicants, internal applications, and others. Department of Commerce/Office of Civil Rights is working with relevant stakeholders (Data Analytics, Monster, and NFC) to address these issues.

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 N/A

ii. Internal Selections (PWTD) Answer N/A

b. Managers

i. Qualified Internal Applicants (PWTD) Answer N/A

ii. Internal Selections (PWTD) Answer N/A

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer N/A

ii. Internal Selections (PWTD) Answer N/A

Due to multiple data issues resulting from changes in the EEOC's FY19 workforce data tables, NIST is unable to conduct applicant flow data analysis for FY19. The data tables contain multiple inconsistencies when analyzing internal selections, interviewed applicants, internal applications, and others. Department of Commerce/Office of Civil Rights is working with relevant stakeholders (Data Analytics, Monster, and NFC) to address these issues.

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 | N/A |
| b. New Hires for Managers (PWD)    | Answer | N/A |
| c. New Hires for Supervisors (PWD) | Answer | N/A |

Due to multiple data issues resulting from changes in the EEOC's FY19 workforce data tables, NIST is unable to conduct applicant flow data analysis for FY19. The data tables contain multiple inconsistencies when analyzing internal selections, interviewed applicants, internal applications, and others. Department of Commerce/Office of Civil Rights is working with relevant stakeholders (Data Analytics, Monster, and NFC) to address these issues.

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 | N/A |
| b. New Hires for Managers (PWTD)    | Answer | N/A |
| c. New Hires for Supervisors (PWTD) | Answer | N/A |

Due to multiple data issues resulting from changes in the EEOC's FY19 workforce data tables, NIST is unable to conduct applicant flow data analysis for FY19. The data tables contain multiple inconsistencies when analyzing internal selections, interviewed applicants, internal applications, and others. Department of Commerce/Office of Civil Rights is working with relevant stakeholders (Data Analytics, Monster, and NFC) to address these issues.

## 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

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

- |                                |        |    |
|--------------------------------|--------|----|
| a. Voluntary Separations (PWD) | Answer | No |
|--------------------------------|--------|----|

b.Involuntary Separations (PWD) Answer No

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
-------------	---------	---------------------------	-----------------------------------

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 No

b.Involuntary Separations (PWTD) Answer No

Seperations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
-------------	---------	-------------------------	---------------------------------

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.

## 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.nist.gov/privacy-policy#accesstate>

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.nist.gov/director/civil-rights-and-diversity-office/crdo-complaint>

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.

NIST Civil Rights and Diversity Office (CRDO) reviews any changes to facilities. In FY19, CRDO reviewed plans for the visitor center in our Boulder facility to ensure compliance with Architectural Barriers Act. Furthermore, for FY20 Office of Facilities and Plant Management will be conducting site accessibility survey.

## 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.)

NIST processed accommodation request in a timely manner. 82% of cases were processed within the time frames (20 business days) set forth in the reasonable accommodation procedures (DAO 215-10). For FY 20, DoC is purchasing a tracking system for reasonable accommodation that will help Reasonable Accommodation Coordinators track requests.

- 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.

The RAC offers reasonable accommodation training to staff. In FY 19, all DoC employees and supervisors were required to complete No FEAR Act training which included information on reasonable accommodation. Additionally, Civil Rights and Diversity staff met with new supervisors to discuss their roles in the reasonable accommodaion process. Furthermore, new employees receive training on reasonable accommodation during their onboarding. The RAC is required to submit quarterly report to Department of Commerce (DoC) Disability Program Manager to ensure that we are adhering to timelines and procedures as outlined in DAO 215-10. NIST also participates in quarterly RAC meetings with DoC to discuss challenges and best practices. In FY 19, NIST established a contract that is centrally funded for sign language interpreters. NIST also offered "Deaf Culture Workshop" and "American Sign Language" classes.

**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.

NIST adheres to the PAS procedure set forth by DoC. We are unable to determine the effectiveness of the procedure since NIST has not received a request for 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 No

- 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.

**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.
- 

## 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 Yes

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

<p><b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>NIST does not have dedicated funding for strategic recruitment for individuals with disabilities</p>							
<p><b>STATEMENT OF BARRIER GROUPS:</b></p>	<p><i>Barrier Group</i></p> <p>People with Disabilities</p> <p>People with Targeted Disabilities</p>							
<p><b>BARRIER ANALYSIS:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>								
<p><b>STATEMENT OF IDENTIFIED BARRIER:</b></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>NIST does not participate in targeted recruitment for individuals with disabilities</p>							
<p><b>Objective</b></p>	<p>Review updated Operational Plan by DoC for Recruiting, Hiring and Retaining People with Disabilities.</p> <table border="1" data-bbox="440 961 1495 1108"> <tr> <td data-bbox="440 961 649 1024"><b>Date Objective Initiated</b></td> <td data-bbox="654 961 1495 1024">Oct 1, 2019</td> </tr> <tr> <td data-bbox="440 1024 649 1108"><b>Target Date For Completion Of Objective</b></td> <td data-bbox="654 1024 1495 1108">Sep 30, 2020</td> </tr> </table>				<b>Date Objective Initiated</b>	Oct 1, 2019	<b>Target Date For Completion Of Objective</b>	Sep 30, 2020
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<b>Target Date For Completion Of Objective</b>	Sep 30, 2020							
<p><b>Responsible Officials</b></p>	<p>Essex Brown Acting Human Resources Director</p>							
<p><b>Target Date (mm/dd/yyyy)</b></p>	<p><b>Planned Activities</b></p>	<p><b>Sufficient Staffing &amp; Funding (Yes or No)</b></p>	<p><b>Modified Date (mm/dd/yyyy)</b></p>	<p><b>Completion Date (mm/dd/yyyy)</b></p>				
<p>09/30/2020</p>	<p>HR Director notified of deficiency as identified by EEOC on 2/12/2020. CRDO Director provided a copy of letter outlining various program deficiencies which included targeted recruitment for individuals with disabilities. Disability Program Manager submitted request for funding to participate in local recruitment fairs for individuals with disabilities. HR Director will review skills needed for recruitment program and assign the appropriate staff.</p>	<p>Yes</p>						
<p><b>Fiscal Year</b></p>	<p><b>Accomplishments</b></p>							



<p><b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>Applicants for Career Developments Programs are not being tracked.</p>							
<p><b>STATEMENT OF BARRIER GROUPS:</b></p>	<p><i>Barrier Group</i></p> <p>People with Disabilities</p> <p>People with Targeted Disabilities</p>							
<p><b>BARRIER ANALYSIS:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>								
<p><b>STATEMENT OF IDENTIFIED BARRIER:</b></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>NIST offers various Career Development Programs. NIST does not track the application process for these programs.</p>							
<p><b>Objective</b></p>	<p>Conduct study on application process and program participants. CRDO will have a staff detailed to the office to study the barriers and impact of these programs.</p> <table border="1" data-bbox="483 993 649 1129"> <tr> <td><b>Date Objective Initiated</b></td> <td>Mar 1, 2020</td> </tr> <tr> <td><b>Target Date For Completion Of Objective</b></td> <td>Sep 30, 2020</td> </tr> </table>				<b>Date Objective Initiated</b>	Mar 1, 2020	<b>Target Date For Completion Of Objective</b>	Sep 30, 2020
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<b>Target Date For Completion Of Objective</b>	Sep 30, 2020							
<p><b>Responsible Officials</b></p>	<p>Chris Currens Supervisory Human Resources Specialist (HR Development)</p>							
<p><b>Target Date (mm/dd/yyyy)</b></p>	<p><b>Planned Activities</b></p>	<p><b>Sufficient Staffing &amp; Funding (Yes or No)</b></p>	<p><b>Modified Date (mm/dd/yyyy)</b></p>	<p><b>Completion Date (mm/dd/yyyy)</b></p>				
<p>03/01/2020</p>	<p>Detail a NIST staff to CRDO to study Career Development Programs</p>	<p>Yes</p>						
<p><b>Fiscal Year</b></p>	<p><b>Accomplishments</b></p>							

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

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

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.