

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

To capture agencies' affirmative action plan for persons with disabilities (PWD) and persons with targeted disabilities (PWTD), EEOC regulations (29 C.F.R. § 1614.203(e)) and MD-715 require agencies to describe how their affirmative action plan will improve the recruitment, hiring, advancement, and retention of applicants and employees with disabilities.

Section I: Efforts to Reach Regulatory Goals

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

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

- a. Cluster GS-1 to GS-10 (PWD) Answer Yes
- b. Cluster GS-11 to SES (PWD) Answer Yes

This National Labor Relations Board (NLRB) total workforce in FY18: 1,332 employees: 106 did not voluntarily disclose a disability, 1,152 reported no disability, 63 reported as having a disability (PWD). In FY19, the NLRB total workforce was 1,283. Here is the NLRB's 2019 data for PWD: 103 did not voluntarily disclose a disability, 1,099 reported not having a disability, and 65 reported as having a disability (PWD). From FY 18 to FY 19 there was a 4% net change in the overall participation. In FY19, 28 employees in Cluster GS-1 to GS-10 and 37 employees in Cluster GS-11 to SES reported having a PWD. Using the goal of 12% as the benchmark, in FY19 5% of the Agency's total workforce identified themselves as a PWD.

*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 Yes
- b. Cluster GS-11 to SES (PWTD) Answer Yes

This National Labor Relations Board (NLRB) total workforce in FY18: 1,332 employees: 106 did not voluntarily disclose a disability, 1,152 reported no disability, and 11 reported having a targeted disability (PWTD). In FY19, the NLRB total workforce was 1,281. Here is the 2019 PWTD data: 103 did not voluntarily disclose a disability, 1,099 reported not having a disability, and 14 reported a targeted disability (PWTD). From FY 18 to FY 19 there was a 4% net change in the overall participation. In FY19, 6 employees in Cluster GS-1 to GS-10 and 8 employees in Cluster GS-11 to SES reported having a PWTD. Using the goal of 2% as the benchmark, in FY19 1% of the Agency's total workforce identified themselves as a PWTD.

Grade Level Cluster(GS or Alternate Pay Plan)	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 emphasizes these goals during OEEQ sessions on the disability training provided to assistants on its website in October 2018. The agency

Section II: Model Disability Program

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

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

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

Answer Yes

The activities and management of the Schedule A Program is centralized. The administration of Program has been delegated to a HR Specialist, who ensures that all participants meet and maintain program requirements during their tenure in the program. All HR Specialist are available to support the program as needed.

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	
Architectural Barriers Act Compliance	1	0	0	Jessica Graham Director of Facilities
Processing applications from PWD and PWTD	9	0	0	Tracey Phelps Associate Director, Employment Solutions tracey.phelps@nlrb.gov
Answering questions from the public about hiring authorities that take disability into account	9	0	0	Tracey Phelps Associate Director, Employment Solutions tracey.phelps@nlrb.gov
Section 508 Compliance	1	0	0	Thomas Pojeta Information Technology Specialist
Processing reasonable accommodation requests from applicants and employees	3	0	0	Otto D. Powell Associate Director, Workforce Relations otto.powell@nlrb.gov
Special Emphasis Program for PWD and PWTD	1	0	0	Marie Azan-Reyes Diversity & Inclusion Officer

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

Answer Yes

The Program Manager completed an online course in FY 19 Disability Training for HR Professionals. In addition, the HR Staff keeps well abreast of changes and information that will further their knowledge of the program and how to identify positions that would be a good fit for program participants.

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 Yes

Each fiscal year the NLRB allocates appropriated funds to disability programs and reasonable accommodations for all employees that meet the requirements as defined in OPM guidance.

Section III: Program Deficiencies In The Disability Program

Brief Description of Program Deficiency	C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC’s regulations and guidance? [see 29 CFR §1614.203(d)(3)]		
Objective	Get approval for draft revisions to the Reasonable Accommodations procedures.		
Target Date	Dec 1, 2020		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Mar 30, 2020		Convene meeting with Agency leadership and EEOC OFO officials to discuss requirements for revisions to the Reasonable Accommodations Procedures.
	Dec 1, 2020		Discuss Reasonable Accommodations Procedure revisions in State of the Agency report and briefing.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2019	Reasonable Accommodation revisions reported in State of the Agency briefing report for MD715 2018.	

Brief Description of Program Deficiency	D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]		
Objective	Include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities in exit interviews.		
Target Date	Dec 1, 2020		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Oct 30, 2020		Develop questions that examine how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities for inclusion in exit surveys.
	Dec 1, 2020		Explore expanded use of exit surveys outside of the Division of Administration.
	Dec 30, 2020		Explore relaunching exit surveys through Agency field offices.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2018	The Agency's Division of Administration uses general exit surveys for personnel resigning or retiring from its division.	

Brief Description of Program Deficiency	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.		
Objective	Post the Agency's affirmative action plan on its public website.		
Target Date	Mar 30, 2020		
Completion Date	Mar 30, 2020		
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2020	The Agency's affirmative action plan, the Special Program Plan for the Recruitment, Hiring, Advancement and Retention of Persons with Disabilities, was posted to the Agency's public web page www.nlr.gov under "Reports".	

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.

In late 2019 the agency launched the NLRB Melwood Partnership Program, which established the opportunity for people with disabilities and targeted disabilities and opportunity to gain work experience. The candidates are matched with an office that has identified a need and would like to participant in the program. The work experiences are established to cover a 90-day period. At the close of 2019 two candidates were selected to start in 2020. Throughout the year the agency received resumes from applicants interested in job opportunities through the Schedule A hiring authority. The Program Coordinator responds to applicant inquiries and maintains a of repository of resumes that are forwarded to applicable hiring managers for consideration in response to the vacancy announcement. In addition, the NLRB has partnered with the University of Maryland's Federal Fellows program that fostered an environment that supports internship opportunities for persons with disabilities.

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

The Agency uses the following hiring authorities: Schedule A, Veterans Employment Opportunity Act (VEOA), and Veterans Readjustment Act (VRA) to hire persons with disabilities or targeted disabilities.

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.

When an applicant is applying for a vacancy announcement the applicant is provided an opportunity to select their eligibility under various hiring authorities. Once applicants submit their applications through the Agency's HR solution portal, the HR Specialist(s) performs an eligibility' review and qualifications analysis to determine if the applicant is eligible under the selected hiring authority. The HR Specialist(s) develops referral certificates for various hiring authorities listing all eligible and qualified applicants. Subsequently, the HR Specialist(s) forwards the referral certificates to the hiring official(s).

- 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

The Agency developed a presentation focused on educating the Hiring Managers about each phase of the recruitment process. The presentation explains that during the consultation phase of the hiring process, while conducting the strategic conversation, the HR Specialist will explain all non-competitive hiring options to the manager to include the use of the Schedule A Hiring Authority.

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.

In FY 18, the agency contacted 21 organizations representing people with disabilities to include targeted disabilities to learn more about their organizations and their vacancy announcement listing and hiring procedures. This was done to educate and gain senior leadership's buy-in to expand the agencies presence in the public and enhance recruiting efforts for PWD and PWTD.

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

In FY19, there were 30 new hires: 9(30%) did not disclose a disability, 14(47%) reported not having a disability, 5(17%) identified as a PWD, and 2(6%) identified as a PWTD.

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 Yes

b. New Hires for MCO (PWTD) Answer No

According to the applicant flow data, there were 303 applicants for the new hire attorney positions and 28 applicants identified as PWD and 10 identified as PWTD. The data demonstrates that 11 (28%) qualified applicants identified as PWD and 2 (2%) qualified applicants identified as PWTD . The Participatoin rate for PWD is slightly under the 12% goal. However, none of the 8 new attorney hires identified as PWD or PWTD. Applicant flow data for Field Examiner positions show that there were 180 applicants

and 23 were determined qualified. 2 PWD (9%) were determined qualified and 1 (4%) PWTD was determined qualified. However, none of the 3 new hire Field Examiners selected identified as PWD or PWTD. The PWD participation rate is below the 12% goal.

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 Yes
 - b. Qualified Applicants for MCO (PWTD) Answer Yes

The B9 table shows that the Participation rate for qualified PWD and PWTD applicants is below the participation rate for all qualified applicants.

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 Yes
 - b. Promotions for MCO (PWTD) Answer Yes

There was one (8%) qualified applicant for internal promotion that identified as PWD. The applicant was not hired.

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.

The agency plans to continue to explore options for more targeted outreach including increasing community linkages similar to the Melwood MOU that will provide internships for people with differing abilities. In addition, OEEO and OHR will explore options for proposing internal policies that prioritize hiring people with disabilities. The Agency will resurvey its workforce population in 2020 to assess more accurately how well it is doing with reaching the mandatory goals for PWD and PWTD.

B. CAREER DEVELOPMENT OPPORTUNITIES

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

The Agency supports career development through in-house training programs, support for external training attendance, internship

programs, and detail programs. Employees are encouraged to complete an Individual Development Plan (IDP) annually. Use of IDPs is voluntary, although participation in some leadership development programs (described below) may require that participants develop an IDP. The Agency provides periodic workshops for employees and supervisors on best practices for IDP implementation. In FY19, the Agency conducted 13 IDP workshops for employees and 12 IDP workshops for supervisors, managers, and executives. In-house training programs include access to online training content through the Agency’s learning management system and other Agency-wide sites. The content is available to all employees. External training attendance is supported through funding of attendance at external training events including classes, courses, conferences, meetings, symposia, etc. Any employee may request funding to attend external training. Individuals covered by a collective bargaining agreement (CBA) are subject to the limits outlined in their CBAs; requests from other employees are evaluated on a case-by-case basis. The Agency offers the Bridge Program, an internship program for administrative professionals in the regional offices who are interested in converting to a higher-graded legal professional position. There are a limited number of opportunities in the Bridge Program offered each year, and they are filled through a competitive process. Detail programs are offered in accordance with CBA guidelines. Management determines the number and location of detail assignments, which are then filled via a competitive process jointly conducted by representatives from management and the bargaining unit. Selections are made primarily based on experience. Employees are also encouraged to participate in external details and rotations with other government agencies such as the President’s Management Council Interagency Rotation Program coordinated by the Office of Personnel Management. Candidates submit applications and are selected to participate in the program on a competitive basis. The Agency provides a comprehensive Leadership Development Program (LDP) with different components for employees at different levels. The LDP is organized into five components: Aspire, Emerge, Apex, Emerge-Executive, and Executive Development. The Aspire component is a voluntary, self-paced program for unit employees who are interested in preparing for a possible future supervisory position. The Emerge component is a two-year mandatory program for new supervisors. The Apex component is a voluntary program for existing supervisors and managers. The Emerge-Executive component is an application-based program for managers who are interested in becoming executives. The Executive Development component is a voluntary program for ongoing development of SES employees. Through the LDP the Agency solicits for applications to attend Leadership for a Democratic Society with OPM’s Federal Executive Institute (FEI). Additionally, the Agency provides career development through internal training conferences. In FY19, the Agency held the following training conferences: New Supervisor Conference (Aug 20-21, 2019; 183 attendees); Office Manager, Assistant Office Manager, and Regional Director Secretary Conference (Aug 27-29, 2019; 53 attendees); Advanced Trial Training Conference (Sep 9-11, 2019; 67 attendees); NxPert Training Conference (Sep 9-11, 2019; 58 attendees); Senior Field Examiner and Compliance Officer Conference (Sep 9-11, 2019; 95 attendees); Administrative Law Judges Conference (Sep 11-12, 2019; 28 attendees); and Senior Leadership Conference (Sep 17-18,2019; 110 attendees).

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 (%)
Training Programs	N/A	614	22	22	2	2
Fellowship Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Detail Programs	11	2	1	0	0	0
Other Career Development Programs	11	4	0	0	0	0
Internship Programs	0	0	0	0	0	0
Coaching Programs	0	0	0	0	0	0

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

- a. Applicants (PWD) Answer Yes
- b. Selections (PWD) Answer Yes

The agency provides equal opportunity for all employees to apply for training programs that help their career development. All 22 employees identifying as PWD and PWTID were granted the training they requested. However, in the two competitive career development programs there was low participation rate of PWD (9%) and PWTID (0) employees which indicates a trigger.

4. Do triggers exist for PWTID 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 (PWTID) Answer Yes

b. Selections (PWTID) Answer Yes

In the two competitive career development programs there was low participation rate of PWD (9%) and PWTID (0) employees which indicates a trigger.

C. AWARDS

1. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTID 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 (PWTID) Answer No

In FY 19, the Agency gave 2, 477 awards (time-off, bonuses, or other incentives). Of the employees that received an award (time-off, bonus, or other incentive) 146 reported being a PWD and/or PWTID.

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 PWTID 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 (PWTID) Answer No

In FY19, 56 quality step increase were given. Of the 56 employees none of them reported being a PWD and/or PWTID.

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 PWTID 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 (PWTID) Answer No

D. PROMOTIONS

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

a. SES

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer Yes

c. Grade GS-14

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer Yes

d. Grade GS-13

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

Table B11 shows Internal Competitive Promotions for Senior Grade levels by Disability. There were two PWD applicants at the GS13 level and 1 was determined qualified and selected. GS-14 level had 2 PWD applicants and none were determined qualified and none were selected. The GS 15 internal applicants had one PWD that was determined qualified but was not selected.

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 Yes

ii. Internal Selections (PWTD) Answer Yes

b. Grade GS-15

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer Yes

c. Grade GS-14

i. Qualified Internal Applicants (PWTD) Answer Yes

ii. Internal Selections (PWTD) Answer Yes

d. Grade GS-13

- i. Qualified Internal Applicants (PWTD) Answer No
- ii. Internal Selections (PWTD) Answer Yes

Table B11 shows Internal Competitive Promotions for Senior Grade levels by Disability. There were two PWD applicants at the GS13 level and 1 was determined qualified and selected. GS-14 level had 2 PWD applicants and none were determined qualified and none were selected. The GS 15 internal applicants had one PWD that was determined qualified but was not selected.

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

Applicant flow data demonstrates that three PWD applicants were determined qualified for a GS13 new hires, 2 were referred, however, none were selected. There were no PWD or PWTD applicants for GS14 new hires. There was 1 applicant for a GS-15 new hire position that was determined qualified and referred but was not selected and there were no new hire applicants that were qualified and identified as a PWD or PWTD for SES new hires.

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

Applicant flow data demonstrates that no qualified applicants identified as PWTD for a GS13, GS14, GS15 or SES new hires.

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 Yes
 - ii. Internal Selections (PWD) Answer Yes
- b. Managers

- | | | |
|--|--------|-----|
| i. Qualified Internal Applicants (PWD) | Answer | Yes |
| ii. Internal Selections (PWD) | Answer | Yes |
| c. Supervisors | | |
| i. Qualified Internal Applicants (PWD) | Answer | Yes |
| ii. Internal Selections (PWD) | Answer | Yes |

B15 data table shows that only one PWD was selected at the GS13 level for a promotion. There were 6 PWD applicants and 1 PWTD applicant for promotion at the GS15 level and 1 PWD was determined qualified ,however, none were selected.

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 | Yes |
| ii. Internal Selections (PWTD) | Answer | Yes |
| b. Managers | | |
| i. Qualified Internal Applicants (PWTD) | Answer | Yes |
| ii. Internal Selections (PWTD) | Answer | Yes |
| c. Supervisors | | |
| i. Qualified Internal Applicants (PWTD) | Answer | Yes |
| ii. Internal Selections (PWTD) | Answer | Yes |

There was one qualified applicant that identified as PWTD for an internal promotion in the mission critical occupation of Field Examiner. However, that applicant was not selected. There were no PWTD applicants identified for Executive positions.

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 | Yes |
| b. New Hires for Managers (PWD) | Answer | Yes |
| c. New Hires for Supervisors (PWD) | Answer | Yes |

There was one qualified applicant that identified as PWTD for an internal promotion in the mission critical occupation of Field Examiner. However, that applicant was not selected. There were no PWTD applicants identified for Executive positions.

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

- | | | |
|------------------------------------|--------|-----|
| a. New Hires for Executives (PWTD) | Answer | Yes |
|------------------------------------|--------|-----|

- b. New Hires for Managers (PWTD) Answer Yes
- c. New Hires for Supervisors (PWTD) Answer Yes

There was one qualified applicant that identified as PWTD for an internal promotion in the mission critical occupation of Field Examiner. However, that applicant was not selected. There were no PWTD applicants identified for Executive positions.

Section VI: Plan to Improve Retention of Persons with Disabilities

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

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer Yes

During the reporting period, one Schedule A employee was eligible and was 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 No
- b. Involuntary Separations (PWD) Answer No

In FY19, there were 4 involuntary separations. These 4 employees reported not having a disability. In FY19, there were 242 voluntary separations (37 employees did not disclose a disability, 181 reported not having a disability, 22 identified having a PWD, and 2 identified having a PWTD).

Separations	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

Separations	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.

There are no exit interview data results that would allow the allow the Agency to provide this information.

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.nlr.gov/reports-guidance/policies/section-508>

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.nlr.gov/reports-guidance/policies/section-508>

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.

The Agency will continue to update all information provided on the Agency's public website to comply with the required laws and regulations.

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.)

On average, it took 10 days to render decisions on 78 requests received in FY19.

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 policy and corresponding standard operating procedures are effective in that they promote timely acknowledgement of requests, guidelines for an effective interactive process so that a decision is reached as quickly as possible, and efficient processes providing requested accommodations. -In FY19, we experienced improved efficiency for processing decisions on requests. The average number of days to provide decisions decreased by 17%; from 12 days in FY18 to 10 days in FY19. -Our goal is to provide furniture/equipment accommodations as quickly as possible, and within 90 days. On average, it took 27 days between decisions and providing/implementing approved accommodations. -The Agency incorporated automated workflows into the Purchase Card Transaction Request process. The workflow sends automatic email notifications to the next office in the procurement process, so that accommodations are purchased and provided more efficiently.

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.

No change: The process for requesting and providing PAS is the same as for Reasonable Accommodations. The Agency has included the definition of PAS and the process for requesting PAS in the Agency's Reasonable Accommodation Policy, as well as sent an Agency-wide notification to inform all employees. The revised policy and memorandum will be posted on the Agency's intranet and external website, upon approval from EEOC. The Agency has not yet received any requests 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>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>		<p>Applicant flow data shows that the agency is recruiting qualified applicants with a PWD or PWTD for their Mission Critical Occupations of Attorney and Field Examiner positions. Many of these applicants (less than half of total PWD and PWTD applicants) are not determined to be qualified. Additionally, none of the qualified applicants that identified as PWD or PWTD were hired.</p>		
<p>STATEMENT OF BARRIER GROUPS:</p>		<p><i>Barrier Group</i></p> <p>People with Disabilities</p> <p>People with Targeted Disabilities</p>		
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>				
<p>STATEMENT OF IDENTIFIED BARRIER:</p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>		<p>Agency needs to implement regular practice of resurveying the workforce to update information on disability status.</p>		
<p>Objective</p>				
<p>Responsible Officials</p>		<p>Lawrence Patterson Director of Human Resources</p> <p>Brenda Valentine Harris Director of Office of Equal Employment Opportunity</p> <p>Chris Bragg Director of Office of Employee Development</p> <p>Lasham Hamilton Director Division of Administration</p>		
<p>Target Date (mm/dd/yyyy)</p>	<p>Planned Activities</p>	<p>Sufficient Staffing & Funding (Yes or No)</p>	<p>Modified Date (mm/dd/yyyy)</p>	<p>Completion Date (mm/dd/yyyy)</p>
<p>06/30/2020</p>	<p>Resurvey the workforce population to get an accurate report of current PWD and PWTD NLRB workforce.</p>	<p>Yes</p>		<p>06/30/2020</p>
<p>Fiscal Year</p>	<p>Accomplishments</p>			
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>				
<p>STATEMENT OF IDENTIFIED BARRIER:</p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>		<p>Agency needs to implement a recruitment and hiring plan that focuses on targeted outreach and recruitment of individuals with disabilities and PWTD.</p>		
<p>Objective</p>				
<p>Responsible Officials</p>		<p>Lawrence Patterson Director of Human Resources</p> <p>Brenda Valentine Harris Director of Office of Equal Employment Opportunity</p> <p>Chris Bragg Director of Office of Employee Development</p> <p>Lasham Hamilton Director Division of Administration</p>		

Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
06/30/2020	Resurvey the workforce population to get an accurate report of current PWD and PWTDL NLRB workforce.	Yes		06/30/2020
Fiscal Year		Accomplishments		
BARRIER ANALYSIS: Provide a description of the steps taken and data analyzed to determine cause of the condition.				
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		Agency needs to establish focused internal policies that prioritize mentoring and career development for employees that identify as PWD and PWTDL.		
Objective				
Responsible Officials		Lawrence Patterson Director of Human Resources Brenda Valentine Harris Director of Office of Equal Employment Opportunity Chris Bragg Director of Office of Employee Development Lasham Hamilton Director Division of Administration		
Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
06/30/2020	Resurvey the workforce population to get an accurate report of current PWD and PWTDL NLRB workforce.	Yes		06/30/2020
Fiscal Year		Accomplishments		
BARRIER ANALYSIS: Provide a description of the steps taken and data analyzed to determine cause of the condition.				
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		Agency will implement training on Schedule A hiring, that includes raising awareness of the benefits from using this hiring resource and training on agency mandatory goals for PWD and PWTDL.		
Objective				
Responsible Officials		Lawrence Patterson Director of Human Resources Brenda Valentine Harris Director of Office of Equal Employment Opportunity Chris Bragg Director of Office of Employee Development Lasham Hamilton Director Division of Administration		
Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
06/30/2020	Resurvey the workforce population to get an accurate report of current PWD and PWTDL NLRB workforce.	Yes		06/30/2020

Fiscal Year	Accomplishments
-------------	-----------------

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.
