



# DIVERSITY, EQUITY, INCLUSION AND ACCESSIBILITY STRATEGIC PLAN

FISCAL YEARS 2022-2026



NATIONAL LABOR RELATIONS BOARD

## INTRODUCTION

The National Labor Relations Board (NLRB or Agency) is an independent federal Agency created by Congress in 1935 to administer and enforce the National Labor Relations Act (NLRA), the primary federal statute governing labor relations in the private sector. The NLRA protects the right of employees to choose for themselves, without interference by employers or unions, whether to form, join, assist, or collectively bargain through a labor organization, and to otherwise join together for their mutual aid or protection, or to refrain from all such activity. The NLRB enforces these statutory rights to remedy the known inequality of bargaining power between employees and their employers, to promote the full freedom of association of workers, and to strengthen the nation's economy by promoting the peaceful resolution of disputes that might otherwise cause disruptions to commerce. The NLRB can better achieve these goals by employing a workforce that is representative of the nation's diverse population.

The Agency has a broad geographic footprint, and its critical mission is carried out largely by its workforce in its 48 field offices, supported by a workforce in its Washington, DC Headquarters, for a grand total of just over 1200 employees. In addition to providing field offices with legal case guidance from Headquarters, all employee support requirements are centralized in Headquarters, including Administration, Human Resources, Employee Development, Facilities and Security, Information Technology, and EEO. Although the NLRB does not have sub-components, it is bifurcated into the Board side, which functions as a quasi-judicial body and makes decisions on cases that come before it on appeal, and the General Counsel side, which effectuates the NLRA by processing representation petitions, and by investigating and prosecuting cases that originate in the field offices described herein. This DEIA Strategic Plan applies equally to all parts of the Agency.

# Message from NLRB's Leadership



The NLRB fully supports advancing a coordinated government-wide initiative to build a diverse workforce and foster an inclusive environment that ensures equal opportunity through national policy development, workforce analysis, outreach, education, and retention. Although Executive Order 14035 exempts independent regulatory agencies, such as the NLRB, from its requirements, the NLRB has fully embraced its goals and believes strongly that effective DEIA strategies will strengthen the Agency's workforce and, in turn, the Agency's ability to accomplish its core mission of supporting workplace democracy for American workers. In making that connection, we are mindful of how vital it is for the Agency to reflect the diversity of the communities we serve. Thus, we know that implementing DEIA strategies is an important tool for achieving our core mission.

This NLRB DEIA Strategic Plan fully supports and embraces the policies and objectives underlying this Executive Order, including the overarching goal to build more diverse and inclusive workplaces that are accessible to all. This DEIA Strategic Plan provides the framework and roadmap for this critical ongoing work.

Diversity means the practice of including the many communities, identities, races, ethnicities, backgrounds, abilities, cultures, and beliefs of the American people, including underserved communities. While diversity creates the potential for greater innovation and productivity, inclusion is what enables organizations to realize the benefits of our full human potential. Equity refers to fair treatment in access, opportunity, and advancement for individuals and the

recognition that the challenges and solutions may differ for individuals from specific underserved populations. Work in this area includes identifying and working to eliminate barriers to fair treatment for disadvantaged groups. The principle of accessibility centers the need to identify and eliminate barriers to accessible workplaces, benefits and opportunities for differently abled individuals.

In accordance with Executive Order 14035, the NLRB has developed a strategy to make and sustain meaningful and measurable progress towards achieving diversity, equity, inclusion, and accessibility (DEIA) for its workforce. This strategy will advance DEIA across the employee experience, including recruitment and hiring, employee development and promotion, as well as accommodation resulting in long term retention by: 1) using data and evidence-based decision making; 2) achieving measurable and continuous improvement; 3) using a collaborative whole-of-agency model with partnership engagement; 4) prioritizing accountability and sustainability; and 5) understanding and applying the perspectives of the workforce and Agency customers. These measures will provide the foundation for the Agency to advance greater equity for underserved populations in the effectuation of its mission to support workplace democracy.

The Agency's efforts to build its DEIA Strategic mined input from each of the Agency's key operational units who came together to collaboratively share experiences and provide recommendations. This effort was led by the Office of EEO, which historically housed the Agency's Diversity and Inclusion initiatives under the 2011 Executive Order 13583, and which established a cross functional platform that informs the Agency's MD715 program to become a Model EEO employer. Leadership convened the NLRB DEIA Partners, who include and represent both the Board and the General Counsel sides of the Agency, representatives from the Agency's field offices across the country, representatives from legal and mission support offices, as well as representatives from the Agency's Legal Counsel, Chief Financial Officer, and Chief Information Officer. The Agency's DEIA Strategic Plan has been informed by the Agency's assessment under the Maturity Model to identify not only the NLRB's current strengths in DEIA practices, but more importantly a clear path forward to move the needle from compliance orientation to institutionalizing sustainable policies and practices that effectively provide equity within the workforce.

# THE NLRB’s DEIA PRIORITIES

**PRIORITY 1:** Demonstrate leadership commitment and accountability to diversity, equity, inclusion, and accessibility.

Goal : Prioritize sustainability and accountability of DEIA through Agency policy on recruitment, hiring, development and retention of a diverse workforce, effective communication strategies, and behavior that advances diversity, equity, inclusion, and accessibility goals and objectives.

1a. Strategic Planning	Maintain a sustainable strategic plan that aligns diversity, equity, inclusion, and accessibility efforts with NLRB strategic goals and objectives.
1b. DEIA Program Structure	Create a DEIA program led by a Chief Diversity Officer to manage and develop coordinated organizational systems that address the Agency’s DEIA goals and objectives.
1c. Evidence Based Decision Making	Implement new and improved data systems and, budget permitting, hire data professionals to ensure that the Agency is able to make evidence-based decisions concerning recruitment, hiring, and retention, with a focus on career development. Examine existing or necessary policies and procedures.
1d. Adopt a collaborative whole of Agency mandate with partnership engagement	Support behavior to sustain DEIA efforts. DEIA efforts cannot be siloed in the OEEEO or OHR. All program offices should be knowledgeable about what is required to sustain DEIA through training and inclusive communication to supervisors and managers of their roles, responsibilities, and leadership’s expectations.
1e. Implement accountability measures	Develop and implement EEO and DEIA accountability measures in performance plans for all hiring managers to ensure application of DEIA principles in recruitment, including using diverse applicant sources, diversity in Agency representation, applicant screening, interviewing, and hiring practices.

**PRIORITY 2:** Implement equitable and inclusive strategies to recruit, hire, and retain a diverse workforce.

Goal : Build a recruitment and retention strategy that demonstrates diverse talent is valued and retained through intentional mentoring and comprehensive career development and leadership opportunities.

2a. Implement recruitment strategies to attract qualified individuals from all backgrounds	Develop, implement, and train hiring managers on a comprehensive overarching Strategic Recruitment and Retention Plan that encompasses and supports DEIA at all levels from entry level to management, and for all positions throughout the Agency, including mission critical occupations. While the Agency has a variety of recruitment programs to support different types of positions, each recruitment program will be required to establish goals and metrics for successful outcomes in diversity hiring.
2b. Create more access for underserved and marginalized communities	Expand use of paid internships across the Agency for the full range of entry level opportunities, in order to expand access for students from diverse backgrounds who cannot afford to work without compensation.
2c. Engage in sustainable outreach, including enhanced communication about the Agency, and all its components	Establish an effective and sustainable outreach program, including partnerships with educational institutions and organizations that serve minority and underserved communities, including organizations that offer work programs for people with disabilities.
2d. Conduct workforce analyses for succession planning	Develop a clear succession plan for all occupations employed at the Agency, including its mission critical occupations, using data analysis of underrepresented demographics.
2e. Equitable hiring	Implement equitable hiring practices including using diverse representation on Agency hiring panels for screening, interviewing, and making selection recommendations.
2.f. Develop and train on DEIA hiring practices	Provide consistent tools for hiring managers, including applicant pool resources, EEO hiring best practices, etc.

**PRIORITY 3:** Integrate equal employment opportunity to ensure equitable participation for all employees to advance in their careers and grow as leaders by mitigating any potential biases or barriers to professional development and promotion.

Goal: Examine representative equity in career development by a regular review of workforce data in promotions and participation in career development training benchmarked by representation in the overall workforce to test for equity.

3a. Pay equity	Ensure equitable pay for similar work across different demographic groups by regularly examining data.
3b. Pay equity assessment of position description for language specialists.	Create workgroup within the Tending to our Non-English Speakers Team (TONES) to review current position description for language specialists to ascertain the appropriate entry and promotional levels.
3c. Equity in employee growth, development and recognition.	Provide equitable opportunities for employee growth and development for promotion and retention.
3d. Leadership development	Build acumen for SES by developing leaders through Agency internal details to build acumen outside Agency mission expertise, e.g., details and rotations in professions outside Agency mission critical occupations, including in Budget, Finance, Acquisitions, Human Resources, Human Capital and EEO
3e. Career Development	Offer mentoring for new supervisors, including internal job shadowing opportunities. This opportunity also allows Agency employees to gain knowledge and understanding of how other Agency program areas function.
3f. Equity in employee benefits	Providing employees and their eligible dependents, including LGBTQI+ employees, with equitable access to support services

**PRIORITY 4:** Cultivate and maintain an inclusive work environment that demonstrates value for each employee and for individual and collective contributions, through all grade levels and all employee classifications.

Goal: Build multiple platforms and methodologies to improve continuous and effective communication with Agency employees.

4a. Collect and understand employee viewpoint	Develop and implement a DEIA online suggestion box and host periodic DEIA Town Halls, to collect and assess employee input through all levels and stakeholders, for the purpose of identifying actions that address inequity.
4b. Respectful engagement with Agency collective bargaining representatives	Fulfill all legal obligations under the Federal Service Labor-Management Relations Statute (FSLMRS) and effectively partner with Agency Unions to understand employee experience.
4c. Support opportunities for initiatives focused on raising awareness of the benefits of an inclusive workplace culture	Recognize and equitably support Employee Resource Groups (ERGs) that represent diverse demographic groups as integral partners in supporting Agency mission priorities and as strategic consultants to better understand the needs of the Agency workforce.
4d. Use data instruments to gauge employee experience	Use the new IQ FEVS scores, climate surveys, and focus groups to understand the employee experience for the purpose of developing strategies to improve inclusivity and employee engagement.
4e. Use data to improve retention	Identify barriers to EEO and DEIA issues through exit interviews using focused online surveys with an option for follow up through person-to-person interview and discussion.
4f. Use data to assess barriers in career development	Provide regular ongoing training for career and leadership development for all employees, including training for employees in specific job skills such as writing skills. Analyze participation by demographic representation to identify potential barriers and implement equitable solutions.
4g. Career development training focused on employees with disabilities	Develop targeted training and development opportunities for Persons With Disabilities (PWD) and Persons With Targeted Disabilities (PWTD) using data analyses in the Agency’s Affirmative Action Plan (MD715 – Part J).
4h. Increase DEIA awareness and capacity	Provide regular and ongoing training for Agency workforce on DEIA principles, including unconscious bias training. Reinvigorate Agency Cultural



	Enhancement Program, which increases Agency cultural competency by sharing employee experiences.
4i. Recognize and value DEIA contributions to Agency.	Feature DEIA initiatives, actions, and accomplishments in Agency “All Aboard” newsletter. Expand annual Honorary Awards to include a separate award category for recognizing individual achievement in DEIA.

**PRIORITY 5:** Ensure the Agency provides an accessible environment in all Agency facilities for employees to fully participate in Agency programs and benefits, including continued support for employees with mobility limitations, employees with hearing and speech impairments, as well as those for which English is not their first language.

Goal: Fully implement a robust Disability Employment Program pursuant to the EEOC’s Management Directive MD715 (Affirmative Action Plan) utilizing ongoing analysis workforce data to conduct relevant barrier analysis for PWD and PWTD.

5a. Targeted partnerships	Provide ongoing learning and outreach through partnerships with organizations that serve the disability community.
5b. Workplace flexibilities	Employ comprehensive workplace flexibilities to fulfill Agency obligations to provide Reasonable Accommodations.
5c. Provide effective accommodations through fully compliant Reasonable Accommodations Program	Ensure timely response to accommodation requests.
5d. Provide necessary resources to support disability employment	Budget permitting, create and maintain a fully trained OCIO FTE on policies/procedures and best practices for technological accommodations, including Section 508 compliance.
5e. Establish mechanism for proactive continuous improvement	Proactively identify accessibility issues in the workplace and recommended solutions through regular feedback, suggestions from employees, and engagement with Agency unions.
5f. Embed Agency’s Special Plan for the Recruitment, Hiring, Advancement and Retention of PWD and PWTD throughout the Agency	Train Agency managers and supervisors on Agency’s Disability Employment Program, including special hiring authorities and resources.


**PRIORITY 6:** Maintain a work environment free from violence, threats of violence, harassment, including sexual harassment, intimidation, and other disruptive behavior in order to foster a safe workplace in which each employee is treated with dignity and respect.

Goal: Establish policies that support safe workplaces, communicate safe workplace standards to all employees and develop processes and protocols that enable the Agency to continually monitor the work environment.

6a. Compliant Anti-Harassment program	Implement an Anti-Harassment Program in accordance with EEOC guidance that includes policy and process to establish and communicate standards for workplace conduct, clearly communicate procedures for addressing harassing behaviors, and provides mechanism to monitor and track such conduct and corrective actions
6b. Establish and communicate Agency standards	Agency leadership to annually update and issue a Workplace Violence Policy memorandum to provide employees with information and resources for victims.
6c. Train workforce on Agency safe workplace program	Provide regular training on the prevention of harassment for all Agency employees, including bystander training.
6d. Communicate leadership’s support for safe and secure work environment.	Track the number of incidents reported to the Security Branch in accordance with the Workplace Violence Policy Memorandum.

## DEIA MEASUREMENTS TO ACHIEVE CONTINUOUS IMPROVEMENT

The NLRB will utilize the Agency’s maturity model as a benchmark for improving the Agency’s DEIA efforts and for tracking DEIA principles and strategies to ensure progress is achieved. The maturity model shows the phases the Agency will encounter and overcome to sustain increased diversity and inclusivity. Resources will also be tracked, and successes charted across the organization. The Agency will continue to communicate efforts annually, and more often if necessary, to encourage accountability throughout the organization. Below is a list of measurement tools the Agency may use to monitor key principles outlined in this plan that contribute to DEIA success.



### Leadership accountability

Annually revise Policies as necessary to enhance DEIA impact

- Assess efficacy of improvements to data systems tracking DEIA initiatives
- Monitor improvement in MD715 implementation
- Support broader creation of and leadership engagement with Employee Resource Groups
- Include consideration of relevant MD715 and other DEIA data in Agency decision making



### Equitable Human Capital Strategies

- Analyze the make-up of new hires on a quarterly basis determining the percentage of diversity based on various background information
- Use Agency workforce and applicant flow data in the MD715 to measure progress
- Development of a streamlined name change process.
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### Increasing DEIA Awareness

- Notify employees of this Strategic Plan and make it available on the Agency’s intranet
- Communicate DEIA policy and initiatives to Agency workforce
- Provide annual training to Agency managers and supervisors on effectively implementing DEIA strategies