

## 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

From FY 17 to FY 18 there has not been an increase in the National Labor Relations Board (NLRB) permanent workforce reporting having a disability. In FY 18, 5.6% (73 employees) of the total workforce reported a disability. This minor drop may be due to employees leaving the agency. The trigger could still be employees lack of self-identification. Comprehensive training and outreach focused on educating the total workforce on the importance of anonymous self-identification through Employee Express is expected to help increase self-identification reporting.

\*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

Using a 2% goal as the benchmark the NLRB PWTD participation rate shows no increase from FY 17 to FY 18. With a slight increase in participation rates from 0.54% in FY 17 to 0.84% in FY 18, the overall participation rate remains below the Federal Goal (2.00%). We have anecdotal information that shows that employees with target disabilities may be underreporting due to a misunderstanding about the process.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numerical Goal	--	12%		2%	
Grades GS-1 to GS-10	242	29	11.98	6	2.48
Grades GS-11 to SES	1070	44	4.11	5	0.47

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

The Agency has communicated the numerical goals for PWTD in the Strategic Recruiting and Retention plan(SRRP). The agency

will brief managers and supervisor on the numeric goals following the approval and finalization of the SRRP.

## 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

Mid-year of FY2017 the agency appointed a new Associate Director (AD) to manage staffing, recruitment and placement. The AD appointed an HR Specialist to manage the Schedule A hiring for persons with disabilities. All activities involving the utilization and management of the agency’s Schedule A Program has been centralized into one place. The newly established program management is aimed to ensure that all participants meet and maintain all necessary program requirements during their tenure in the program. Quarterly reports are also generated and reviewed for accuracy.

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	6	0	0	Antoinette Hart Associate Director OHR/ Employment Solutions
Answering questions from the public about hiring authorities that take disability into account	6	0	0	Antoinette Hart Associate Director OHR/ Employment Solutions
Processing reasonable accommodation requests from applicants and employees	3	0	0	Otto Powell Associate Director, OHR/ Workforce Solutions
Section 508 Compliance	1	0	0	Thomas Pojeta Information Technology Specialist
Architectural Barriers Act Compliance	0	0	0	Jessica Graham <a href="mailto:Jessica.graham@nlrb.gov">Jessica.graham@nlrb.gov</a>
Special Emphasis Program for PWD and PWTB	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 last training was given in FY17. The Office of Human Resources (OHR) provided their staff with appropriate training to carry out their responsibilities including training on the revised 501 regulations. Additionally, the staff received various forms of training such as group, individual, on-the-job, self-initiated, and formal training to manage recruiting, hiring, and placing of persons with disabilities under the Schedule A Authority. During FY2018, employment Solutions established an internal Disability Employment Resource Library. Such library contains information related to Disability Hiring, Employment Procedures, Program Management, as well as the ABC's of the Schedule A Hiring Authority. In addition, on March 8, 2018, the Disability Program Manager and an accompanying HR Specialist attended the Federal Exchange on Employment & Disability meeting held at the OPM Headquarters facility.

**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**

<b>Brief Description of Program Deficiency</b>	C.2.a.6. Do the agency’s training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]		
<b>Objective</b>	To develop Anti-Harassment training materials that will include disability harassment scenarios.		
<b>Target Date</b>	Mar 1, 2020		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Nov 15, 2019		Update draft training material to include disability harassment scenarios, for internal review.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2019	The Agency provided mandatory anti-harassment training to all senior executives and Agency department heads and Regional Directors at Agency leadership summit held in October 2018.	

<b>Brief Description of Program Deficiency</b>	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.		
<b>Objective</b>	Finalize Agency revised Affirmative Action plan after review by the EEOC and adopted by the Agency, post the procedures on the Agency's public internet website.		
<b>Target Date</b>	Jun 30, 2020		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	

<b>Brief Description of Program Deficiency</b>	E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]		
<b>Objective</b>	Develop a plan to resurvey the Agency workforce, specifically to update data on disability status.		
<b>Target Date</b>	Nov 29, 2019		
<b>Completion Date</b>			
<b>Planned Activities</b>	<b><i>Target Date</i></b>	<b><i>Completion Date</i></b>	<b><i>Planned Activity</i></b>
	Oct 30, 2019		Prepare marketing material to promote the resurvey by explaining its need and purpose, while assuring confidentiality.
	Oct 30, 2019		Complete testing of Employee Express as platform for the resurvey; ensure that it can gather information confidentiality in compliance with data required in Part J of the MD 715.
<b>Accomplishments</b>	<b><i>Fiscal Year</i></b>	<b><i>Accomplishment</i></b>	
	2017	Office of Human Resources and Office of EEO explored options to launch agency resurvey and identified Employee Express as potential platform. OHR reviewed that all data in Employee Express is treated confidentially.	

## 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.

The Agency has a relationship with local and Federal programs that are a resource for applicants with disabilities and targeted disabilities including Melwood, a local organization that the agency intends to partner with to bring aboard volunteer workers with differing abilities.

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 of 1998 (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 No

The Agency provides training on the use of hiring authorities for persons with disabilities or persons with targeted disabilities on a case-by-case basis. The Agency gives informal training to hiring managers that receive referral certificates that include applicants with disabilities and applicants with targeted disabilities. The Agency’s goal is to provide annual training to hiring managers on the use of hiring authorities for persons with disabilities and targeted disabilities.

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

In FY 18, 19 new hires joined the NLRB as part of the permanent workforce, but did not report a disability or elect to disclose disability information.

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 Yes

In FY 18, 4 new hires were in mission critical occupations, however, none reported or disclose a disability.

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

In FY 18, 120 internal applicants applied to mission critical occupations. Of the 120 applicants 13 reported a disability; 7 of 13 applicants reported a targeted disability.

4. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTD among employees promoted to any of the mission- critical occupations (MCO)? If “yes”, please describe the triggers below. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Promotions for MCO (PWD) Answer No
- b. Promotions for MCO (PWTD) Answer No

## 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 will develop training and mentoring programs for all employees with the focus on improving opportunities for career development. The agency will implement a comprehensive Individual Development Plan with training for employees and supervisors and managers. The agency will implement a mentoring program for all employees that is anticipated to help increase internal PWD and PWTD applicants.

### B. CAREER DEVELOPMENT OPPORTUNITES

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. 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.

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 (%)
Fellowship Programs	0	0				
Internship Programs						
Mentoring Programs	0	0				
Coaching Programs	0	0				
Training Programs	n/a	649				
Detail Programs	23	5				
Other Career Development Programs	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 N/A
- b. Selections (PWD) Answer N/A

The NLRB did not have a formal career development program in this reporting period.

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

The NLRB did not have a formal career development program in this reporting period.

**C. AWARDS**

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

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

The inclusion rate shows that PWD and PWTD enjoyed less success than others when awards are granted. The trigger is partially attributable to low self-identification rates and partially attributable to a lack of targeted career development for PWD and PWTD.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards: 1-9 hours : Total Time-Off Awards Given	511	2.74	89.24	0.78	1.96
Time-Off Awards: 9+ hours : Total Time-Off Awards Given	151	3.97	86.75	0.66	3.31

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$100 - \$500: Total Cash Awards Given	40	7.50	92.50	0.00	7.50
Cash Awards: \$501+: Total Cash Awards Given	1223	6.13	93.87	0.98	5.15

2. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTD for quality step increases or performance- based pay increases? If “yes”, please describe the trigger(s) in the text box.

- a. Pay Increases (PWD) Answer Yes
- b. Pay Increases (PWTD) Answer Yes

The inclusion rate shows that PWD and PWTD enjoyed less success than others when awards are granted. The trigger is partially attributable to low self-identification rates and partially attributable to a lack of targeted career development for PWD and PWTD.

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Quality Step Increases (QSI): Total QSIs Awarded	82	3.66	96.34	0.00	3.66
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 No
  - ii. Internal Selections (PWD) Answer No
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWD) Answer Yes
  - ii. Internal Selections (PWD) Answer Yes



- c. Grade GS-14
- |  |        |     |
|--|--------|-----|
| i. Qualified Internal Applicants (PWD) | Answer | Yes |
| ii. Internal Selections (PWD)          | Answer | Yes |
- d. Grade GS-13
- |  |        |     |
|--|--------|-----|
| i. Qualified Internal Applicants (PWD) | Answer | Yes |
| ii. Internal Selections (PWD)          | Answer | Yes |

There were no PWD or PWTD in the relevant applicant pool. Additionally, there were no PWD or PWTD determined qualified for promotion.

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 | No |
| ii. Internal Selections (PWTD)          | Answer | No |
- b. Grade GS-15
- |   |        |    |
|---|--------|----|
| i. Qualified Internal Applicants (PWTD) | Answer | No |
| ii. Internal Selections (PWTD)          | Answer | No |
- c. Grade GS-14
- |   |        |    |
|---|--------|----|
| i. Qualified Internal Applicants (PWTD) | Answer | No |
| ii. Internal Selections (PWTD)          | Answer | No |
- d. Grade GS-13
- |   |        |    |
|---|--------|----|
| i. Qualified Internal Applicants (PWTD) | Answer | No |
| ii. Internal Selections (PWTD)          | Answer | No |

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 |

Employee Express is an opportunity for PWDs to disclose their disability or targeted disability anonymously, however, applicants are not identifying as PWTD or PWD. In FY 18 the Agency revamped the new employee orientation (NEO) program. During the NEO the new hires are encouraged to anonymously report their disability if applicable through Employee Express. New hires at the senior level receive the SF-256 prior to their appointment. However, completing the SF-256 is optional and (many, most or all?) new hires fail to complete the form.

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

Employee Express is an opportunity for PWDs to disclose their disability or targeted disability anonymously, however, applicants are not identifying as PWTD or PWD. In FY 18 the Agency revamped the new employee orientation (NEO) program. During the NEO the new hires are encouraged to anonymously report their disability if applicable through Employee Express. New hires at the senior level receive the SF-256 prior to their appointment. However, completing the SF-256 is optional and (many, most or all?) new hires fail to complete the form.

5. Does your agency have a trigger involving PWD among the qualified internal applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. Executives

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

b. Managers

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

c. Supervisors

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

6. Does your agency have a trigger involving PWTD among the qualified internal applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. Executives

- i. Qualified Internal Applicants (PWTD) Answer No
    - ii. Internal Selections (PWTD) Answer No
  - b. Managers
    - i. Qualified Internal Applicants (PWTD) Answer No
    - ii. Internal Selections (PWTD) Answer No
  - c. Supervisors
    - i. Qualified Internal Applicants (PWTD) Answer No
    - ii. Internal Selections (PWTD) Answer No

7. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the selectees for new hires to supervisory positions? If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.
- a. New Hires for Executives (PWD) Answer No
  - b. New Hires for Managers (PWD) Answer No
  - c. New Hires for Supervisors (PWD) Answer No

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the selectees for new hires to supervisory positions? If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.
- a. New Hires for Executives (PWTD) Answer No
  - b. New Hires for Managers (PWTD) Answer No
  - c. New Hires for Supervisors (PWTD) Answer No

## 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 %
Permenant Workforce	1302	4.76	95.24
Total Separations	155	8.39	91.61
Voluntary Separations	152	8.55	91.45
Involuntary Separations	3	0.00	100.00

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 %
Permenant Workforce	1302	0.84	99.16
Total Separations	155	0.65	99.35
Voluntary Separations	152	0.66	99.34
Involuntary Separations	3	0.00	100.00

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.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.

NLRB office space is procured and managed by the General Services Administration (GSA). It is GSA's policy to make all Federal buildings accessible without the use of special facilities for persons with disabilities. The intent of this policy is to utilize standard building products set at prescribed heights and with prescribed maneuvering clearances to allow easy use by employees and visitors with disabilities. Architectural Barriers Act accessibility standards are mandatory for all GSA design and construction projects. The architects and engineers are also responsible for compliance with all applicable state or local accessibility standards. Where such exist, the most stringent accessibility requirements are to be applied regardless of whether they are contained in state or local codes and regulations or ABAAS.

### 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 approximately 12 days to render decisions on 99 requests received in FY18.

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 within 15-30 days, and efficient processes for providing requested accommodations. In FY18, the program improved efficiency for processing decisions on requests. There was a 37 percent decrease in the average number of days: down from 19 days in FY17 to 12 days in FY18. •The Program's goal is to provide furniture/equipment accommodations as quickly as possible, or within 90 days. On average, it took 42 days between decisions and providing approved accommodations. •In April 2018, The Agency provided two interactive make-up training sessions for supervisors and managers who did not participate in sessions provided in November 2017. There were 35 participants during the April sessions.

### 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.

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 Yes

3. If the agency had one or more findings of discrimination involving the failure to provide a reasonable accommodation during the last fiscal year, please describe the corrective measures taken by the agency.

NA

**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>PWD and PWTD participation rates are below the EEOC's goal of 12% for PWD and 2% for PWTD.</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>

<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?		Data tables show low participation rates for PWD and PWTD.						
<b>STATEMENT OF BARRIER GROUPS:</b>		<i>Barrier Group</i> People with Disabilities People with Targeted Disabilities						
<b>BARRIER ANALYSIS:</b>  Provide a description of the steps taken and data analyzed to determine cause of the condition.								
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		Agency does not have a comprehensive plan or training mechanism for educating managers and supervisor about Schedule A hiring and the agency's obligation to meet mandatory hiring goals concerning PWD and PWTD.						
<b>Objective</b>		Schedule A training and implementation of plan for hiring, professional development and retention of PWD and PWTD.  <table border="1"> <tr> <td><b>Date Objective Initiated</b></td> <td>Sep 30, 2018</td> </tr> <tr> <td><b>Target Date For Completion Of Objective</b></td> <td>Aug 31, 2019</td> </tr> </table>			<b>Date Objective Initiated</b>	Sep 30, 2018	<b>Target Date For Completion Of Objective</b>	Aug 31, 2019
<b>Date Objective Initiated</b>	Sep 30, 2018							
<b>Target Date For Completion Of Objective</b>	Aug 31, 2019							
<b>Responsible Officials</b>		Chonita Young Director of OHR						
<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>				
09/30/2019	The focus of the State of the Agency Briefing for 2018 given by OEEO and OHR will be to make recommendations to leadership concerning plan to achieve objectives toward the mandatory goals for PWD and PWTD.	Yes						
09/30/2019	Obtain leadership approval of a anti-harassment policy and program for the Agency.	Yes						
09/30/2018	Conduct focus groups on employee development opportunities with PWD and PWTD employees.	Yes						
<b>Fiscal Year</b>	<b>Accomplishments</b>							
2018	Respect in the workplace training for leaders and employees was implemented beginning 2018. Training will be completed by September 30, 2019.							
2018	A draft of the Anti-Harassment program was completed in 2018. The draft is currently being reviewed by the Agency's leadership for approval.							

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

Lack of financial resources and priorities of new leadership will have to be balanced with the planned activities. Additionally, the agency has to engage its two unions in the implementation of some activities that impact the terms and conditions of employees.

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

The agency wide civility training has raised awareness of all employees concerning the impact of positive and negative behavior in the work place. Additionally, regarding IDPs, if PWD and PWTD employees avail themselves of this tool their development within the Agency should improve.

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.

The Agency plans to complete its current training and expand its sources for feedback concerning employee development.