

**MD-715 – Part J**  
**Special Program 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 No

The National Labor Relations Board (NLRB) total workforce in FY 20 is 1,255 and in FY 19 was 1,283. From FY 19 to FY 20, 27 more employees identified themselves as a person with a disability (PWD); which is a 2.3% increase. Using the goal of 12% as the benchmark, in FY20 7.3% of the Agency's total workforce reported having a PWD. In FY 20 the NLRB data shows that 103/8.2% did not voluntarily disclose a disability, 1,041/82.9% reported not having a disability, 92/7.3% reported having a disability (PWD) and 19/1.5% reported having a target disability (PWTD). Of the 92 employees that identified as a PWD 31 employees are in cluster GS-1 to GS-10; and 61 employees are in GS-11 to SES.

\*For GS employees, please use two clusters: GS-1 to GS-10 and GS-11 to SES, as set forth in 29 C.F.R. § 1614.203(d) (7). For all other pay plans, please use the approximate grade clusters that are above or below GS-11 Step 1 in the Washington, DC metropolitan region.

2. Using the goal of 2% as the benchmark, does your agency have a trigger involving PWTD by grade level cluster in the permanent workforce? If “yes”, describe the trigger(s) in the text box.

- a.Cluster GS-1 to GS-10 (PWTD) Answer No
- b.Cluster GS-11 to SES (PWTD) Answer No

The National Labor Relations Board (NLRB) total workforce in FY 20 is 1,255 and in FY 19 was 1,283. From FY 19 to FY 20, 5 more employees identified themselves as a person with a targeted disability (PWTD); which is a 0.4% increase than last fiscal year. Using the goal of 2% as the benchmark, in FY 20 1.5% of the Agency's total workforce reported having a PWTD. In FY 20 the NLRB data shows that 103/8.2% did not voluntarily disclose a disability, 1,041/82.9% reported not having a disability, 92/7.3% reported having a disability (PWD) and 19/1.5% reported a targeted disability (PWTD). Of the 19 employees that identified as a PWTD, 6 employees are in Cluster GS-1 to GS-10 and 13 employees are in Cluster GS-11 to SES.

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

OHR's FY20 strategic hiring process communicates to hiring managers the importance of using various hiring flexibilities, like the veterans hiring authorities and Schedule A hiring authority for persons with differing abilities; and shares the Schedule A applicant pool with hiring managers before posting vacancy announcements to increase its hiring of applicants with PWD and PWTD.

**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 two 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	
Processing applications from PWD and PWTD	0	0	2	Tracy Phelps Associate Director <a href="mailto:tracy.phelps@nlrb.gov">tracy.phelps@nlrb.gov</a>
Answering questions from the public about hiring authorities that take disability into account	0	0	2	Tracy Phelps Associate Director <a href="mailto:tracy.phelps@nlrb.gov">tracy.phelps@nlrb.gov</a>
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 <a href="mailto:otto.powell@nlrb.gov">otto.powell@nlrb.gov</a>
Architectural Barriers Act Compliance	1	0	0	Jessica Graham Director of Facilities and Property
Special Emphasis Program for PWD and PWTD	0	0	1	Jacqueline Flournoy Deputy Director, OHR

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 agency attended the Department of Labor Workforce Recruitment Program. The DOL's Office of Disability Employment Policy (ODEP) and the U.S. Department of Defense's Defense Human Resources Activity's (DHRA) Diversity Management Operations Center (DMOC) manage the program, which continues to be successful with the participation of many other federal agencies and sub-agencies.

## 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: 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 uses the DOL Workforce Recruitment Program (WRP) and applicants from USAJobs searches to identify job applicants with disabilities and targeted 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 NLRB uses the WRP to identify candidates that can be considered for Schedule A. In addition, we keep an inhouse data base of resumes from Schedule A candidates that contact us directly for employment. We review the resumes and determine if there are any vacant positions where they could be considered.

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.

The HR Specialist reviews the individual’s applications package and validates the documents to determine eligibility. If the individual applied to a specific position then they will be referred if they were found qualified. If they did not apply to a specific job announcement, then the application/documents are uploaded to our internal database. When positions become vacant the database/resumes are reviewed to determine if there are any Schedule A candidates that can be considered for the position.

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

In FY 20 the OHR developed training geared toward hiring managers that was rolled out in FY21. Additionally, OHR’s FY20 strategic hiring process has an ongoing collaboration between OHR and hiring managers where OHR explains hiring flexibilities, like the veterans hiring authorities and Schedule A hiring authority for persons with differing abilities; and shares the Schedule A applicant pool with hiring managers before posting vacancy announcements.

**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 20, OHR have established contacts with the Operation Warfighter Program/Wounded Warrior Program and Neurodiversity in the Federal Workplace. Additionally, 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. At the close of 2019 two candidates were selected to start in 2020. However, in FY20 due to the COVID-19 pandemic the Agency has not been able to accept new applicants through this partnership.

**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

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	No
b. New Hires for MCO (PWTD)	Answer	No

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 | No |
| b. Qualified Applicants for MCO (PWTD) | Answer | No |
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4. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTD among employees promoted to any of the mission-critical occupations (MCO)? If “yes”, please describe the triggers below. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- |                              |        |    |
|------------------------------|--------|----|
| a. Promotions for MCO (PWD)  | Answer | No |
| b. Promotions for MCO (PWTD) | Answer | No |
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#### **Section IV: 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 continues to explore options for more targeted outreach. In FY20, the agency rolled out a corporate recruitment program to attract all candidates to include increasing awareness of job opportunities for applicants with differing abilities. The Agency resurveyed its workforce population in 2020.

##### **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 FY20, the Agency conducted over 60+ virtual sessions for employees through various program elements (i.e. Leadership Development Program, Administrative Development Program, Legal Development Program, Retirement Training, and General Skills Training). Additionally, In-house training programs include access to online training content through the Agency's learning management system (6,210) with hundreds of self-paced courses, books and videos as well as internal business unit driven monthly training sessions within regional offices. The in-house content is available to all employees unless specified and marketed using targeted marketing efforts to maximize registration, interest and engagement. External training attendance for targeted career development is supported through funding of attendance at external training events (538) 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) and hosts a cohort of 20 leaders to engage in a six month Executive Coaching Cohort. Additionally, the Agency provides career development through internal training conferences. In FY20, the Agency held the following training conferences virtually, in light of the pandemic: Field Supervisor and Managers Conference (Oct 26-28; 142 attendees); Regional Director Conference (Sep 14-18; 57 attendees); Board Agent Training Conference (Nov 4-6,9,10,12,13; 358 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 (#)
Coaching Programs	62	20	0	0	0	0
Fellowship Programs	0	0	0	0	0	0
Training Programs	N/A	538	26	26	5	5
Internship Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Detail Programs	3	2	0	0	0	0
Other Career Development 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 No

b. Selections (PWD) Answer No

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 No

b. Selections (PWTD) Answer No

### C. AWARDS

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

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

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

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

a. Pay Increases (PWD) Answer No

b. Pay Increases (PWTD) Answer No

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 No

ii. Internal Selections (PWD) Answer No

c. Grade GS-14

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

d. Grade GS-13

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

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2. 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 (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

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3. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires to SES (PWD) Answer No

b. New Hires to GS-15 (PWD) Answer No

c. New Hires to GS-14 (PWD) Answer No

d. New Hires to GS-13 (PWD) Answer No

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4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires to SES (PWTD) Answer No

b. New Hires to GS-15 (PWTD) Answer No

c. New Hires to GS-14 (PWTD) Answer No

d. New Hires to GS-13 (PWTD) Answer No

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

a. Executives

i. Qualified Internal Applicants (PWD) Answer 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 PWTB 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 (PWTB) Answer No

ii. Internal Selections (PWTB) Answer No

b. Managers

i. Qualified Internal Applicants (PWTB) Answer No

ii. Internal Selections (PWTB) Answer No

c. Supervisors

i. Qualified Internal Applicants (PWTB) Answer No

ii. Internal Selections (PWTB) 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 PWTB 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 (PWTB) Answer No

b. New Hires for Managers (PWTB) Answer No

c. New Hires for Supervisors (PWTB) Answer No

## Section V: 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 CFR § 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

In FY 20, there were 83 voluntary and involuntary separations. Of those separations 5 voluntary separations reported having a PWD.

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

a. Voluntary Separations (PWTB) Answer No

b. Involuntary Separations (PWTB) Answer No



In FY20, there were 83 separations. Of those 83 separations none reported having a PWTD.

4. If a trigger exists involving the separation rate of PWD and/or PWTD, please explain why they left the agency using exit interview results and other data sources.

The Agency has planned activities in FY2021 to improve exit interviews to gather data on separations of individuals with disabilities.

## 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.

[ABApublicaccess@nlrb.gov](mailto:ABApublicaccess@nlrb.gov)

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 is reviewing its provision of specialized software to enable those with physical disabilities to access their work online. The Agency is also reviewing its TTY service.

## 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.)

The average number of days to render decision on requests was 19 days in FY20. The average number of days from the date requests were received until the date reasonable accommodations were implemented was 75 days in FY20.

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 Office of Human Resources, Workforce Relations (OHR/WR) coordinated with the COVID-19 Task Force and the Facilities and Property Branch procedures for employees to take home office furniture/equipment for pandemic telework. OHR/WR collaborated with the Office of Chief Information Office (OCIO) to develop a new reporting dashboard using Microsoft PowerBI, which enables program managers to generate and conduct more comprehensive reporting and program analysis.

## 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.

During this reporting timeframe, the Agency did not receive any requests for Personal Assistance Services (PAS).

## Section VI: EEO Complaint and Findings Data

**A. EEO COMPLAINT DATA INVOLVING HARASSMENT**

1. During the last fiscal year, did a higher percentage of PWD file a formal EEO complaint alleging harassment, as compared to the government-wide average?

Answer No

2. During the last fiscal year, did any complaints alleging harassment based on disability status result in a finding of discrimination or a settlement agreement?

Answer 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.

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**Section VII: Identification and Removal of Barriers**

Element D of MD-715 requires agencies to conduct a barrier analysis when a trigger suggests that a policy, procedure, or practice may be impeding the employment opportunities of a protected EEO group.

1. Has the agency identified any barriers (policies, procedures, and/or practices) that affect employment opportunities for PWD and/or PWTD?

Answer No

2. Has the agency established a plan to correct the barrier(s) involving PWD and/or PWTD?

Answer N/A

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

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

In FY 20, the OHR developed training focused on hiring managers that will be implemented in FY21.

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

The planned activities were developed in FY20 and will be implemented in FY21. Therefore, there is no impact to report in FY20.

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 will assess hiring manager's use of Schedule A authority to see whether the training provided yielded any increase.

HR as FY20 strategic hiring schedule. Announcing the hiring managers with differing abilities and share hiring flexibility application pool with hiring managers before posting vacancy announcements to increase its hiring of applicants with PWD and PWTD.

## 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

- 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 two 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.

- Identify all staff responsible for implementing the agency's disability employment program by the office, staff employment status, and responsible official.

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTD	0	0	2	Tracy Phelps Associate Director <a href="mailto:tracy.phelps@nlrb.gov">tracy.phelps@nlrb.gov</a>
Answering questions from the public about hiring authorities that take disability into account	0	0	2	Tracy Phelps Associate Director <a href="mailto:tracy.phelps@nlrb.gov">tracy.phelps@nlrb.gov</a>
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 <a href="mailto:otto.powell@nlrb.gov">otto.powell@nlrb.gov</a>
Architectural Barriers Act Compliance	1	0	0	Jessica Graham Director of Facilities and Property
Special Emphasis Program for PWD and PWTD	0	0	1	Jacqueline Flournoy Deputy Director, OHR

- 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 agency attended the Department of Labor Workforce Recruitment Program. The DOL's Office of Disability Employment Policy (ODEP) and the U.S. Department of Defense's Defense Human Resources Activity's (DHRA) Diversity Management

Operations Center (DMOC) manage the program, which continues to be successful with the participation of many other federal agencies and sub-agencies.

## **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.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR §1614.203(d)(3)]		
<b>Objective</b>	Get approval for draft revisions to the Reasonable Accommodations procedures.		
<b>Target Date</b>	Dec 1, 2020		
<b>Completion Date</b>	Apr 20, 2021		
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Dec 1, 2020		Discuss Reasonable Accommodations Procedure revisions in State of the Agency report and briefing.
	Feb 3, 2021		Review of Reasonable Accommodation draft with discussion with the Chairman and the Acting General Counsel.
	Feb 10, 2021		Acting General Counsel consultation with Agency counsel for legal sufficiency of the draft.
	Mar 18, 2021		Review and comments to the Reasonable Accommodation draft by the Chairman and the Acting General Counsel.
	Apr 9, 2021		Review by OEEO of the comments and revisions.
	Apr 30, 2021		Submission of Agency's revised Reasonable Accommodation Procedure to EEOC for review.
	Apr 30, 2021		Submission of Agency's revised Reasonable Accommodation Procedure to EEOC for review.
	May 15, 2021		Review of EEOC analysis of Agency's revised Reasonable Accommodations Procedures.
Jul 15, 2021		Resubmission of the Agency's draft to the EEOC for legal sufficiency. Upon approval, the Agency intends to engage in impact and implementation bargaining with the exclusive collective bargaining representatives of its employees prior to implementation.	
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2020	Reasonable accommodations revisions pursuant to Section 501 revisions discussed in 2019 State of the Agency briefing report.	
	2019	Reasonable Accommodation revisions reported in State of the Agency briefing report for MD715 2018.	
	2020	Convene meeting with Agency leadership designees and EEOC OFO officials to discuss requirements for revisions to the Reasonable Accommodations Procedures.	
<b>Objective</b>	Discussion with the Chairman and the General Counsel on status of the Reasonable Accommodation procedure draft.		
<b>Target Date</b>	Feb 1, 2021		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Feb 23, 2020		Review of revisions to Reasonable Accommodations Procedures by Agency counsel for legal sufficiency.
	Mar 18, 2021		Review by the OEEO of the draft approved by Agency's counsel, the Chairman and the Acting General Counsel.
	May 1, 2021		Resubmission of the Agency's draft to the EEOC for legal sufficiency. Upon approval, the Agency intends to engage in impact and implementation bargaining with the exclusive collective bargaining representatives of its employees prior to implementation.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2020	Convened meeting with Agency leadership and EEOC OFO officials to discuss requirements for revisions to the Reasonable Accommodations Procedures.	

<b>Brief Description of Program Deficiency</b>	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)]		
<b>Objective</b>	Explore expanded use of exit surveys with the Division of Administration (DOA), the program office responsible for off-boarding employees and interns.		
<b>Target Date</b>	Oct 30, 2020		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Jul 30, 2021		With current Agency leadership approval, work with DOA to include targeted questions in the current "exit checklist" used when off-boarding employees and interns.
	Aug 30, 2021		Finalize with OED, OHR and Dof A, online survey questions for completion by all exiting employees to include any concerns related to recruitment, hiring, inclusion, retention, and development of employees in any context related to Title VII, the ADEA, the ADA, GINA and any other federal laws designed to eliminate discrimination against individuals for any protected basis.
	Oct 15, 2021 Nov 15, 2021		Develop online platform for the exit survey with OCIO. Determine method of tracking the information from the online survey and evaluate the data on training, recruitment, career development and retention to assess the Agency's EEO program.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2020 2018	Explored similarly situated small agency's use of exit interviews. The Agency's Division of Administration uses general exit surveys for employees resigning or retiring from its division.	
<b>Objective</b>	Include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities in exit interviews.		
<b>Target Date</b>	Dec 1, 2020		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Oct 30, 2020		Identify best practices among similarly situated small agencies for exit interviews.
	Dec 30, 2020		Explore relaunching exit surveys through Agency field offices.
	Dec 1, 2021		Explore expanded use of exit surveys outside of the Division of Administration.
<b>Accomplishments</b>	<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.	

## 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 PWTDD

### 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 uses the DOL Workforce Recruitment Program (WRP) and applicants from USAJobs searches to identify job applicants

with disabilities and targeted 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 NLRB uses the WRP to identify candidates that can be considered for Schedule A. In addition, we keep an inhouse data base of resumes from Schedule A candidates that contact us directly for employment. We review the resumes and determine if there are any vacant positions where they could be considered.

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.

The HR Specialist reviews the individual’s applications package and validates the documents to determine eligibility. If the individual applied to a specific position then they will be referred if they were found qualified. If they did not apply to a specific job announcement, then the application/documents are uploaded to our internal database. When positions become vacant the database/resumes are reviewed to determine if there are any Schedule A candidates that can be considered for the position.

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

In FY 20 the OHR developed training geared toward hiring managers that was rolled out in FY21. Additionally, OHR’s FY20 strategic hiring process has an ongoing collaboration between OHR and hiring managers where OHR explains hiring flexibilities, like the veterans hiring authorities and Schedule A hiring authority for persons with differing abilities; and shares the Schedule A applicant pool with hiring managers before posting vacancy announcements.

**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 20, OHR have established contacts with the Operation Warfighter Program/Wounded Warrior Program and Neurodiversity in the Federal Workplace. Additionally, 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. At the close of 2019 two candidates were selected to start in 2020. However, in FY20 due to the COVID-19 pandemic the Agency has not been able to accept new applicants through this partnership.

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

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

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

New Hires	Total	Reportable Disability	Targeted Disability
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	(#)	Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants	207	6.76	0.00	2.42	0.00
% of Qualified Applicants	111	7.21	0.00	2.70	0.00
% of New Hires	2	0.00	0.00	0.00	0.00

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 No
- b. New Hires for MCO (PWTD) Answer No

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability		Targetable Disability	
		Qualified Applicants (%)	New Hires (%)	Qualified Applicants (%)	New Hires (%)
Numerical Goal	--	12%		2%	
0244LABOR MANAGEMENT RELATIONS	1	200.00	0.00	100.00	0.00
0905ATTORNEY	5	120.00	0.00	40.00	0.00

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 No
- b. Qualified Applicants for MCO (PWTD) Answer No

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 continues to explore options for more targeted outreach. In FY20, the agency rolled out a corporate recruitment program to attract all candidates to include increasing awareness of job opportunities for applicants with differing abilities. The Agency resurveyed its workforce population in 2020.

**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. 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 FY20, the Agency conducted over 60+ virtual sessions for employees through various program elements (i.e. Leadership Development Program, Administrative Development Program, Legal Development Program, Retirement Training, and General Skills Training). Additionally, In-house training programs include access to online training content through the Agency’s learning management system (6,210) with hundreds of self-paced courses, books and videos as well as internal business unit driven monthly training sessions within regional offices. The in-house content is available to all employees unless specified and marketed using targeted marketing efforts to maximize registration, interest and engagement. External training attendance for targeted career development is supported through funding of attendance at external training events (538) 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) and hosts a cohort of 20 leaders to engage in a six month Executive Coaching Cohort. Additionally, the Agency provides career development through internal training conferences. In FY20, the Agency held the following training conferences virtually, in light of the pandemic: Field Supervisor and Managers Conference (Oct 26-28; 142 attendees); Regional Director Conference (Sep 14-18; 57 attendees); Board Agent Training Conference (Nov 4-6,9,10,12,13; 358 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 (%)
Coaching Programs	62	20	0	0	0	0
Fellowship Programs	0	0	0	0	0	0
Training Programs	N/A	538	26	26	5	5
Internship Programs	0	0	0	0	0	0

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Mentoring Programs	0	0	0	0	0	0
Detail Programs	3	2	0	0	0	0
Other Career Development 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 No
- b. Selections (PWD) Answer No

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 No
- b. Selections (PWTD) Answer No

**C. AWARDS**

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

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

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 1 - 10 hours: Awards Given	753	43.93	64.07	50.00	42.70
Time-Off Awards 1 - 10 Hours: Total Hours	9698	471.96	842.65	400.00	486.52
Time-Off Awards 1 - 10 Hours: Average Hours	12.88	10.04	1.28	44.44	3.08
Time-Off Awards 11 - 20 hours: Awards Given	111	6.54	9.35	0.00	7.87
Time-Off Awards 11 - 20 Hours: Total Hours	2672	166.36	229.60	0.00	200.00
Time-Off Awards 11 - 20 Hours: Average Hours	24.07	23.77	2.39	0.00	28.57
Time-Off Awards 21 - 30 hours: Awards Given	41	5.61	3.21	0.00	6.74

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 21 - 30 Hours: Total Hours	1380	216.82	102.43	0.00	260.67
Time-Off Awards 21 - 30 Hours: Average Hours	33.66	36.14	3.10	0.00	43.45
Time-Off Awards 31 - 40 hours: Awards Given	5	0.00	0.49	0.00	0.00
Time-Off Awards 31 - 40 Hours: Total Hours	224	0.00	21.81	0.00	0.00
Time-Off Awards 31 - 40 Hours: Average Hours	44.8	0.00	4.36	0.00	0.00
Time-Off Awards 41 or more Hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Average Hours	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$501 - \$999: Awards Given	250	26.17	20.06	22.22	26.97
Cash Awards: \$501 - \$999: Total Amount	465291	41686.92	37605.36	39194.44	42191.01
Cash Awards: \$501 - \$999: Average Amount	1861.16	1488.82	182.55	9798.61	-191.81
Cash Awards: \$1000 - \$1999: Awards Given	614	46.73	48.59	44.44	47.19
Cash Awards: \$1000 - \$1999: Total Amount	1445119	106242.06	115734.96	85672.22	110402.25
Cash Awards: \$1000 - \$1999: Average Amount	2353.61	2124.84	231.93	10709.06	388.71
Cash Awards: \$2000 - \$2999: Awards Given	340	22.43	28.43	33.33	20.22
Cash Awards: \$2000 - \$2999: Total Amount	1035663	71586.92	86630.77	106777.78	64469.66
Cash Awards: \$2000 - \$2999: Average Amount	3046.07	2982.79	296.68	17796.28	-13.20
Cash Awards: \$3000 - \$3999: Awards Given	141	10.28	11.88	5.56	11.24
Cash Awards: \$3000 - \$3999: Total Amount	620813	45287.85	52468.35	23166.67	49761.80
Cash Awards: \$3000 - \$3999: Average Amount	4402.93	4117.07	430.07	23166.67	264.35
Cash Awards: \$4000 - \$4999: Awards Given	63	4.67	5.06	0.00	5.62
Cash Awards: \$4000 - \$4999: Total Amount	360884	23084.11	29866.50	0.00	27752.81
Cash Awards: \$4000 - \$4999: Average Amount	5728.32	4616.82	574.36	0.00	5550.56
Cash Awards: \$5000 or more: Awards Given	22	0.93	2.04	0.00	1.12
Cash Awards: \$5000 or more: Total Amount	176379	8336.45	16305.65	0.00	10022.47
Cash Awards: \$5000 or more: Average Amount	8017.23	8336.45	776.46	0.00	10022.47

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

- a. Pay Increases (PWD) Answer No
- b. Pay Increases (PWTD) Answer No

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Total Performance Based Pay Increases Awarded	39	2.80	3.02	0.00	3.37

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 No
    - ii. Internal Selections (PWD) Answer No
  - c. Grade GS-14
    - i. Qualified Internal Applicants (PWD) Answer No
    - ii. Internal Selections (PWD) Answer No
  - d. Grade GS-13
    - i. Qualified Internal Applicants (PWD) Answer No
    - ii. Internal Selections (PWD) Answer No

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 | No |
| b. New Hires to GS-15 (PWD) | Answer | No |
| c. New Hires to GS-14 (PWD) | Answer | No |
| d. New Hires to GS-13 (PWD) | Answer | No |

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 | No |
| b. New Hires to GS-15 (PWTD) | Answer | No |
| c. New Hires to GS-14 (PWTD) | Answer | No |
| d. New Hires to GS-13 (PWTD) | Answer | No |

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

In FY 20, there were 83 voluntary and involuntary separations. Of those separations 5 voluntary separations reported having a PWD.

Separations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	1	0.00	0.09
Permanent Workforce: Resignation	22	0.00	1.92
Permanent Workforce: Retirement	32	1.80	2.62
Permanent Workforce: Other Separations	23	2.70	1.75
Permanent Workforce: Total Separations	78	4.50	6.38

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

In FY20, there were 83 separations. Of those 83 separations none reported having a PWTD.

Separations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	1	0.00	0.08
Permanent Workforce: Resignation	22	0.00	1.78
Permanent Workforce: Retirement	32	0.00	2.59
Permanent Workforce: Other Separations	23	0.00	1.86
Permanent Workforce: Total Separations	78	0.00	6.31

4. If a trigger exists involving the separation rate of PWD and/or PWTD, please explain why they left the agency using exit interview results and other data sources.

The Agency has planned activities in FY2021 to improve exit interviews to gather data on separations of individuals with disabilities.

## 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.

[ABAPublicAccess@nlrb.gov](mailto:ABAPublicAccess@nlrb.gov)

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 is reviewing its provision of specialized software to enable those with physical disabilities to access their work online. The Agency is also reviewing its TTY service.

## 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.)

The average number of days to render decision on requests was 19 days in FY20. The average number of days from the date requests were received until the date reasonable accommodations were implemented was 75 days in FY20.

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 Office of Human Resources, Workforce Relations (OHR/WR) coordinated with the COVID-19 Task Force and the Facilities and Property Branch procedures for employees to take home office furniture/equipment for pandemic telework. OHR/WR collaborated with the Office of Chief Information Office (OCIO) to develop a new reporting dashboard using Microsoft PowerBI, which enables program managers to generate and conduct more comprehensive reporting and program analysis.

## **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.

During this reporting timeframe, the Agency did not receive any requests for Personal Assistance Services (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 No

2. Has the agency established a plan to correct the barrier(s) involving PWD and/or PWTD?

Answer N/A

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

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

In FY 20, the OHR developed training focused on hiring managers that will be implemented in FY21.

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

The planned activities were developed in FY20 and will be implemented in FY21. Therefore, there is no impact to report in FY20.

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 will assess hiring manager's use of Schedule A authority to see whether the training provided yielded any increase.