

DOT Federal Highway Administration

For period covering October 1, 2018 to September 30, 2019

PART A Department or Agency Identifying Information	1. Agency	1. DOT Federal Highway Administration
	1.a 2nd level reporting component	
	2. Address	2. 1200 New Jersey Avenue SE
	3. City, State, Zip Code	3. Washington , DC 20590
	4. Agency Code 5. FIPS code(s)	4. TD04 5. 11001

PART B Total Employment	1. Enter total number of permanent full-time and part-time employees	1. 2678
	2. Enter total number of temporary employees	2. 5
	3. TOTAL EMPLOYMENT [add lines B 1 through 2]	4. 2683

PART C Agency Official(s) Responsible For Oversight of EEO Program(s)	Title Type	Name	Title
	Head of Agency	Nicole R. Nason	Administrator
	Head of Agency Designee	Mala K. Parker	Deputy Administrator
	Head of Agency Designee	Thomas Everett	Executive Director
	Principal EEO Director/Official	Irene Rico	Associate Administrator for Civil Rights
	Affirmative Employment Program Manager	Nikisha M. Pickett	Internal EEO and Special Emphasis Program Manager
	Complaint Processing Program Manager	Nikisha M. Pickett	Internal EEO and Special Emphasis Program Manager

For period covering October 1, 2018 to September 30, 2019

PART D
List of Subordinate Components Covered in
This Report

Subordinate Component and Location (City/State)	Country	Agency Code
DOT Federal Highway Administration Montgomery , AL	United States	TD04
DOT Federal Highway Administration Lakewood , CO	United States	TD04
DOT Federal Highway Administration Glastonbury, CT	United States	TD04
DOT Federal Highway Administration Albany, NY	United States	TD04
DOT Federal Highway Administration Providence , RI	United States	OTHER
DOT Federal Highway Administration Juneau, AK	United States	TD04
DOT Federal Highway Administration Washington , DC	United States	TD04
DOT Federal Highway Administration Atlanta, GA	United States	TD04
DOT Federal Highway Administration Concord, NH	United States	TD04
DOT Federal Highway Administration Raleigh, NC	United States	TD04
DOT Federal Highway Administration Phoenix, AZ	United States	TD04
DOT Federal Highway Administration Boise, ID	United States	TD04
DOT Federal Highway Administration Springfield, IL	United States	TD04
DOT Federal Highway Administration Baton Rouge, LA	United States	TD04
DOT Federal Highway Administration Baltimore, MD	United States	TD04
DOT Federal Highway Administration Cambridge, MA	United States	TD04
DOT Federal Highway Administration West Trenton , NJ	United States	TD04
DOT Federal Highway Administration Columbia , SC	United States	TD04
DOT Federal Highway Administration Austin, TX	United States	TD04
DOT Federal Highway Administration Bismarck , ND	United States	TD04
DOT Federal Highway Administration Sacramento , CA	United States	TD04
DOT Federal Highway Administration Dover, DE	United States	TD04
DOT Federal Highway Administration Tallahassee, FL	United States	TD04
DOT Federal Highway Administration Helena, MT	United States	TD04
DOT Federal Highway Administration Lincoln, NE	United States	TD04
DOT Federal Highway Administration Columbus, OH	United States	TD04
DOT Federal Highway Administration Salem, OR	United States	TD04

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Subordinate Component and Location (City/State)	Country	Agency Code
DOT Federal Highway Administration Austin , TX	United States	TD04
DOT Federal Highway Administration Little Rock , AR	United States	TD04
DOT Federal Highway Administration Lansing, MI	United States	TD04
DOT Federal Highway Administration Carson City , NV	United States	TD04
DOT Federal Highway Administration Oklahoma City, OK	United States	TD04
DOT Federal Highway Administration Madison, WI	United States	TD04
DOT Federal Highway Administration Honolulu, HI	United States	TD04
DOT Federal Highway Administration Indianapolis , IN	United States	TD04
DOT Federal Highway Administration Ames, IA	United States	TD04
DOT Federal Highway Administration Jackson, MS	United States	TD04
DOT Federal Highway Administration Jefferson City, MO	United States	TD04
DOT Federal Highway Administration Harrisburg, PA	United States	TD04
DOT Federal Highway Administration San Juan , PR	United States	TD04
DOT Federal Highway Administration Nashville, TN	United States	TD04
DOT Federal Highway Administration Cheyenne, WY	United States	TD04
DOT Federal Highway Administration Sterling, VA	United States	TD04
DOT Federal Highway Administration Topeka, KS	United States	TD04
DOT Federal Highway Administration Frankfort, KY	United States	TD04
DOT Federal Highway Administration Salt Lake City , UT	United States	TD04
DOT Federal Highway Administration Olympia, WA	United States	TD04
DOT Federal Highway Administration Pierre, SD	United States	TD04
DOT Federal Highway Administration Augusta, ME	United States	OTHER
DOT Federal Highway Administration St. Paul , MN	United States	TD04
DOT Federal Highway Administration Santa Fe, NM	United States	TD04
DOT Federal Highway Administration Montpelier, VT	United States	TD04
DOT Federal Highway Administration Richmond, VA	United States	TD04
DOT Federal Highway Administration Charleston, WV	United States	TD04

For period covering October 1, 2018 to September 30, 2019

EEOC FORMS and Documents	Required	Uploaded
Agency Strategic Plan	Y	Y
Anti-Harassment Policy and Procedures	Y	Y
Organization Chart	Y	Y
EEO Policy Statement	Y	Y
Reasonable Accommodation Procedure	Y	Y
Personal Assistance Services Procedures	Y	Y
Alternative Dispute Resolution Procedures	Y	Y
Diversity Policy Statement	N	Y
Disabled Veterans Affirmative Action Program (DVAAP) Report	N	Y
Federal Equal Opportunity Recruitment Program (FEORP) Report	N	Y
EEO Strategic Plan	N	N
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	N	Y
Human Capital Strategic Plan	N	N

EXECUTIVE SUMMARY: MISSION

The Federal Highway Administration (FHWA) submission of the annual Equal Employment Opportunity Program Status Report for Fiscal Year 2019 (FY 19) Management Directive 715 report and plan was prepared in accordance with the U.S. Equal Employment Opportunity Commission laws and authority governed under Section 717 of the Civil Rights Act of 1964, as amended; and Section 501 of the Rehabilitation Act of 1973, as amended. This report highlights FHWA's accomplishments in establishing and maintaining a model EEO Program.

The FHWA is an Operating Administration within the U.S. Department of Transportation (DOT) that supports State and local governments in the design, construction, and maintenance of the Nation's highway system (Federal-aid highway program) and various Federal and Tribal owned lands (Federal Lands Highway Program). Through financial and technical assistance to State departments of transportation, local governments, Federal agencies, Tribal governments, FHWA is responsible for ensuring that America's roads and highways continue to be among the safest and most technologically sound in the world.

The top-level official of FHWA is the Administrator, who reports directly to the Secretary of DOT. The FHWA organizational structure includes a Washington, District of Columbia, Headquarters, Office of Technical Services, 3 Federal Lands Highway Division Offices and 52 Federal-aid Division Offices (one in every State, the District of Columbia, and Puerto Rico).

The FHWA's mission is to "enable and empower the strengthening of a world-class highway system that promotes safety, mobility, and economic growth, while enhancing the quality of life of all Americans."

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

Element A- Demonstrated Commitment from Agency Leadership

The FHWA is committed to the principles of EEO and maintaining a successful EEO Program. This commitment is demonstrated throughout the Agency's hierarchy from senior executives, managers and supervisors to all employees. Efforts to demonstrate this commitment include the following:

The annual Administrator's Awards Program has an award category, "Diversity and Inclusion Award" dedicated to giving recognition to individuals and/or teams for their significant contributions to EEO, Civil Rights, and Diversity and Inclusion while advancing the Administrator's commitment to maintaining a high performing organization.

On April 22, 2019, Nicole R. Nason began her tenure as Administrator of the FHWA. In this role, she leads an Operating Administration within the DOT that is responsible for the Nation's \$49 billion Federal-aid highway program.

On October 10, 2019, Mala K. Parker was named Deputy Administrator for the FHWA. Ms. Parker provides executive leadership and strategic direction within FHWA to advance the goals and priorities of the Department under Secretary Chao's leadership.

The FHWA's Executive Director Tom Everett was announced on October 22, 2018. As Executive Director, Mr. Everett manages the Agency's daily operations and its personnel, and advises the Administrator, Deputy Administrator and senior officials throughout DOT.

Senior Leadership demonstrates their commitment to advancing a model EEO Program through their participation in FHWA's Diversity Management Committee Women's Forum series, setting expectations for the Anti-Harassment Program, and Special Emphasis programs.

All Employee Survey Updates

Since the early 1990's, FHWA has been conducting the "FHWA All Employee Survey (AES)." The FHWA AES was originally conducted on an annual basis, and when OPM began conducting the Federal Employee View Point Survey (FEVS) on an annual basis the FHWA AES started to be conducted in the odd years while the OPM FEVS was conducted in the even years.

The FHWA AES had 2,128 employees who shared their thoughts and provided feedback. The division employees led the way with a 92% response rate overall; 34 division offices had a response rate of 90% or above, and 17 of those offices reported at 100%. The Office of the Administrator and the Directors of Field Services Office also reported 100% participation. The number of respondents and participation rates from primary groups in the Agency are shown below.

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

FHWA Headquarters	627/866	72%
Office of Technical Services	112/138	81%
Federal-aid Division Offices	926/1008	92%
Federal Lands Highway	463/638	73%

The most recent survey results received an 80% response rate. The 2019 scores indicate a Climate Quotient score of 73%. Employees are most satisfied with the following:

- Work-life support (82.3%)
- Agency’s customer focus (81.1%)
- Interactions with immediate supervisor (79.4%)

The highest rated items involve the following:

- Work-life balance (86.1%)
- Employees are treated with respect (84.8%)

The lowest rated items were the following:

- Career Satisfaction (69.1%)
- Employee Engagement (70.6%)
- Senior Leadership support (70.8%)

The FHWA through a committee called the Human Resource Management Committee (HRMC), reviews the results of the survey and develops a 2-year action plan that helps to continue to improve FHWA as one of the best places to work.

Element B- Integration of EEO in the Agency’s Strategic Mission

The FHWA Strategic Plan (2019-2022) outlines the goals and objectives of the FHWA and supersedes the previous FHWA Performance Year 2018/19 Strategic Implementation Plan. This plan was developed to align FHWA efforts with the FY 2018-2022 DOT Strategic Plan and reflects the priorities of Agency leadership. In DOT Strategic Plan, one of the goals is Accountability, which has been adopted from the DOT Strategic Plan.

Under Accountability: Management Objective 2- Mission Efficiency and Support. Strategies “Workforce: Attract, develop, and retain employees who have the capabilities and competencies to help the Department achieve its goals.”

To improve the efficiency and effectiveness of the organization, DOT will recruit, hire and retain employees from all segments of American society with the right skills, and provide the training and professional development opportunities they need to help DOT successfully achieve its goals. The Agency conducted a wide number of programs and activities as outlined in the Unit Performance Plans during the reporting period that reflect leadership commitment:

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

- The Associate Administrator for the Office of Civil Rights has the authority and resources to effectively deliver a successful EEO Program and leads the day-to-day FHWA Civil Rights operations and reports to the Agency's Executive Director. The FHWA Office of Civil Rights provides technical guidance in the implementation of EEO programs at the national level including the development of action plans as required by MD-715 and EEOC guidance.
- In our effort to gather disability data, FHWA resurveyed the workforce resulting in an increased number of employees completing the revised Self-Identification of the Workforce Standard Form (SF-256 form). All employees were encouraged to self-identify or update their information using descriptions from OPM's Self-Identification of Disability through their Employee Express system account. The disability codes have been updated in the Human Resource information system therefore increasing the Agency's (Persons with Disabilities (PWD) and (Persons with Targeted WTD) population.
- Offices included Diversity and Inclusion (D & I) efforts within their Unit Performance Plans (UPP).
- The FHWA implemented its pilot Anti-Harassment Process and worked concurrently in developing a permanent Anti-Harassment Process.
- Promoted programs that engage employee participation in committees that support efforts to improve FHWA as an organization.
- Employees are encouraged in their technical field/discipline to enhance knowledge management throughout the Agency and support closing competency gaps through discipline learning and development.
- The FHWA continues to promote a culture that recognizes employee contributions using informal and formal recognition programs at the local and national level.
- Diverse pipeline recruitment initiatives included the Professional Development Program (PDP), Rotational Developmental Assignment Clearinghouse, and expanded Career Development programs

Element C- Management and Program Accountability

FHWA's employees received and provided updated training on EEO and Reasonable Accommodations via the Departmental Office of Civil Rights. FHWA's Disability Program Manager continues to work with the Departmental Disability Resource Center to process and track reasonable accommodation requests and provide technical assistance and training to the Managers, Supervisors, and Team Leaders on the Reasonable Accommodations process.

Reasonable Accommodations and Disability Program

The Office of Civil Rights championed the National Disability Employment Awareness Month Observance in October 2018. Haben Girma, Disability Rights Attorney and Activist provided keynote remarks, and former Deputy Administrator Brandye Hendrickson and Secretary Elaine Chao provided the welcome. More than 250 employees attended the event. It was livestreamed via YouTube with more than 200 views by employees.

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

The Office of Civil Rights and HR jointly sponsored a Webinar for FHWA managers/supervisors on the Reasonable Accommodations programs and Schedule A hiring authorities in November 2018. More than 100 managers/supervisors participated in the Webinar.

The FHWA Disability Program Manager and the Internal EEO and Special Emphasis Program Manager conducted 3-hour on site EEO and Reasonable Accommodations training at the Iowa, Georgia, and California Division Offices in April, July, and August of 2019. More than 80 employees in these field offices participated in the training. EEO and Reasonable Accommodations training and outreach continues through the end of FY 2020.

The FHWA along with other Operating Administrations sponsored mock interviews with undergraduate students who are deaf and hard of hearing from Gallaudet University in the Spring of 2019. These mock interviews were an opportunity for students to meet with hiring officials and learn about the various job opportunities at FHWA /DOT. More than 80 students participated.

Special Emphasis Programs

The FHWA Office of Civil Rights utilizes Special Emphasis programs and engages with Employee Resource Groups to continue to raise employee awareness of the importance of diversity and to demonstrate the Agency's commitment to a model EEO workplace. A series of Webinars were held to educate the workforce about the different Employee Resource Groups within the Agency.

In FY 19, FHWA took a champion role in the planning and delivery of the following DOT Special Emphasis Program events:

- African American History Month
- Asian and Pacific Islander Heritage Month
- Hispanic Heritage Month
- Women's Program

Reissuance of Standard Form 256

FHWA distributed the SF 256-Self-Identification of Disability Form at new employee orientations, issued an all employee email explaining the reason employees may want to review and/or update their self-identified status, and provided talking points to hiring managers on the self-identification process for use at their all employee meetings.

Targeted Recruitment and Outreach Efforts

As a result of FY 2018 reporting, FHWA revamped its Corporate Recruitment effort to address the low participation rate of women, Hispanic women and individuals with disabilities. FHWA attended recruitment and outreach events designed to network and meet people with disabilities. The events included: (1) EOP Career Expo for People with Disabilities and Wounded Warriors (2); Three U.S. Chamber of Commerce Foundation's Hiring Our Heroes Career Fair for veterans, service members who are post-

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

transition, reservists, guardsmen, and military spouses; (3) Two DC Peace Corps Job Fairs for returned peace corps volunteers and other national service alumni; and the (4) Diversity Employment Day Career Fair.

FHWA utilized a variety of recruitment resources, including online services; the Workforce Recruitment Program Database; OPM Shared List of People with Disabilities Database; State and local vocational rehabilitation agencies and employment offices; educational institutions, colleges and universities; and USAJOBS to attract people with disabilities for FHWA job opportunities. FHWA vacancy announcements continue to be marketed on free recruitment sites to increase the visibility in those specific communities.

Education/Outreach on Schedule A

FHWA Office of Human Resources held one-on-one consultative sessions with hiring managers to discuss various staffing and recruitment initiatives which included different hiring authorities. These hiring authorities (including Schedule A) help hiring managers decrease time-to-hire and ensure that plans of action that place qualified applicants in the Agency's positions are followed, including mission critical occupations.

Addressing Generational Diversity

FHWA has established an advisory group called the Innovation Exchange (iExchange), a multi-generational forum focused on exchanging ideas, inspiring innovation, raising awareness of generational diversity, and creating an environment that embraces members of different generations. Sponsored by the Knowledge Management (KM) unit, the iExchange expanded its membership to more than 240 employees. The advisory group held another virtual speed networking event, several more crowdsource (brainstorm) sessions, and continued to work with FHWA offices, committees, and councils to provide ideas and a fresh perspective.

Element D- Proactive Prevention of Unlawful Discrimination

Anti-Harassment Process

On June 21, 2019, the Department issued its Policy Framework for the Prevention of Harassment, which, among other things, required each mode to develop an Anti-Harassment Process incorporating certain parameters, and submit that process for OST review within 90 days. The FHWA pilot process already met most of the Framework's requirements. In response to the issuance of the Framework, on September 19, 2019, FHWA revised its pilot process to fully conform to the Framework's requirements, and submitted the revised process to OST for review.

Similar to the Pilot process, the revised FHWA Anti-Harassment Process addresses allegations of any type of harassment in or relating to the (FHWA) workplace. Anyone may raise an allegation of harassment in this process, including but not limited to an FHWA or DOT employee, a contractor, an employee of FHWA partners (such as State DOT employees), or an applicant for employment. An individual may bring the

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

allegation concerning any FHWA employee, contractor, or FHWA partner (including employees of other DOT modes), no matter whether the individual is subordinate to, supervises, or is a peer or partner of the individual being accused. The process, including the remedies available, vary based on differences in the employee status of the individual making the allegation and the employee status of the individual accused of harassment.

Based on the Policy Framework FHWA submitted the updated procedures to OST for approval on September 19, 2019.

Training

FHWA secured a contract for FY 2020 Anti-Harassment training. This contract will provide Anti-Harassment training to all FHWA employees.

Diversity Management Committee

In support of the Agency's strategic initiative to increase the population of low representation, the, FHWA continued to utilize its 19-member Diversity Management Committee (DMC) to cultivate and advance several initiatives designed to improve organizational culture and raise awareness on the importance of having a diverse and inclusive organization.

The committee selected and trained 22 new Diversity Champions to fill vacant slots for previous champions rotating off the program. With a goal to increase diversity, the DMC contributed a great deal to the Agency's recruitment efforts this year. The committee supported HR with the development and updating of hiring and advancement policies and practices through Launch Point, Managers & Supervisors Forum and other avenues. In addition, the group helped identify resources and tips for diversity hiring.

Furthermore, the committee collaborated with HR on the revamping of the corporate recruitment program and the development of a Diversity Hiring Guide for Hiring Managers. Based on the FY 2018 analysis that identified low participation rates in the mission critical occupations for the planning discipline, the DMC collaborated with the Planning Leadership Council, which is a committee of planning discipline employees, to develop a series of resources for assisting hiring officials in recruiting or hiring a community planner or transportation specialist with planning responsibilities. These resources were made available through the Planning Discipline SharePoint site and included a list of colleges, universities and associations with planning programs, planning focused interview questions, and a listing of seasoned FHWA Planners willing to assist in the hiring process.

The DMC also continued its Women's Forum Webinar series which is designed to foster greater interaction among women employees at all levels of the Agency. The committee conducted two webinars with the aim of providing a safe and engaging discussion platform for all employees to network with each other and address issues of common interest, such as career growth, mentoring, professional development, and identifying

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

challenges in the workplace - especially those impacting women.

The committee produced and developed a diversity video to serve as an educational message on core principles of diversity and inclusion. The video will be aired and distributed in 2020.

In an effort to address inclusion-related feedback gathered in employee surveys, the DMC partnered with HR to improve the Agency's Telework Program. With many employees reporting unequal expectations between managers and themselves regarding telework, the DMC helped initiate a Webinar series not only to clarify the policy and guidance but also to provide an opportunity for questions to be answered by a panel of representatives including the Telework Program Manager.

Furthermore, the DMC decided to build from last year's effort to capture all of the Departmental Employee Resource Groups within a distribution list and hosted an agencywide Webinar that introduced all the affinity organizations to all employees.

The DMC also continued its role in conducting diversity presentations at each requesting program offices and each of this year's Discipline Support System Seminars. There have been 8 seminars held so far with attendee counts ranging from 60 to 230 employees.

Element E- Efficiency

FHWA timely submitted to the EEOC the Annual Federal EEO Statistical Report of Discrimination Complaints (EEOC Form 462). In addition, FHWA timely submitted to Congress the Annual Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act) report. Furthermore, FHWA submitted its annual FEEORP to OPM in December 2018.

FHWA continues to ensure that all EEO policies were prominently posted in all personnel offices, employee bulletin boards, and on the FHWA Civil Rights Website. All policies related to anti-discrimination laws, Civil Rights, the EEO complaint process, Departmental Reasonable Accommodations policies and ADR have been posted on the FHWA Website.

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

Element F- Responsiveness and Legal Compliance

FHWA continues to maintain the goal of full compliance with all EEO statutes, regulations, policy guidance, and other written instructions. All Agency personnel are held accountable for timely compliance with orders issued by the EEOC. Plans for addressing newly identified gaps and issues from prior fiscal years are further discussed in Part H of this report.

EXECUTIVE SUMMARY: WORKFORCE ANALYSES

As of September 30, 2019, FHWA onboard strength showed a total of 2,683 employees, of whom 2,678 were permanent employees and 5 were temporary employees.

FHWA is starting to see improvements in targeted areas. In FY19, FHWA exceeded its goal of 10% of hires of PWD and its 2% goal of PWTD onboard. In FY 19, approximately 16.52% of all new hires were PWD, and 4.35% were PWTD. Overall, PWTD comprise 3.05% of the total FHWA workforce. (This number includes hires from other DOT modes, and therefore is not demonstrated by the workforce tables).

Veterans with 30% or more disability represent 5.7% of all hires and make up 6.5% of the total workforce.

The FHWA reports out the following regarding the overall diversity of its workforce between FY 10 and FY 19:

- (1) Hispanics in FHWA permanent workforce have increased from 8.48% to 8.95%
- (2) Black or African Americans in the permanent workforce had a slight increase from 15.01% to 15.06%; and
- (3) PWD increased from 9.88% to 10.78% of the FHWA permanent workforce.
- (4) PWTD increased from 2.88% to 3.05% of the FHWA permanent workforce.

* this number is inclusive of hires from other DOT modes, and not accounted for in the workforce tables.

Although FHWA continues to be successful in its efforts to diversify its workforce, the representation of White females and Hispanic females remain areas where FHWA needs to continue its efforts. These areas of improvement have been included in Part H and I of this report. (Page 17-19 of the PDF of this report highlights the tables for this section)

EXECUTIVE SUMMARY: ACCOMPLISHMENTS

The FHWA makes EEO principles a fundamental part of its culture. Below is a summary of FHWA's FY 19 accomplishments under the six essential elements 1) demonstrated commitment to EEO, 2) integration of EEO into DOT's strategic mission, 3) management and program accountability, 4) proactive prevention of unlawful discrimination, 5) efficiency and responsiveness, and 6) legal compliance:

- No findings of discrimination by the EEO Commission, the Merit Systems Protection Board, or the District Court were issued in FY 2019.
- In FY 2019, FHWA increased the hiring of people with disabilities and people with targeted disabilities. FHWA hired a record 4.35% of people with targeted disabilities for the permanent workforce. This helped to significantly improve FHWA's onboard percentage from 2.0% to 3.05%.
- For the third year, FHWA surpassed the EEOC goal of 12% of hires being people with disabilities (targeted and non-targeted) by achieving 13.86% of FHWA's permanent workforce.
- In FY 2019, FHWA continued to grow the activities of its corporate Diversity Committee efforts. FHWA continued to expand the cadre of Diversity Champions throughout all its units around the country.
- The FHWA has established an advisory group called the Innovation Exchange (iExchange), a multi-generational forum focused on exchanging ideas, inspiring innovation, raising awareness of generational diversity, and creating an environment that embraces members of different generations. Sponsored by the FHWA's KM unit, the iExchange expanded its membership to more than 240 employees in FY 2019. The advisory group held another virtual speed networking event, several more crowdsource (brainstorm) sessions, and continued to work with FHWA offices, committees, and councils to provide ideas and a fresh perspective.
- In September 2019, FHWA submitted its revised anti-harassment process to OST for review in response to DOT's Policy "*Framework for the Prevention of Harassment and Unprofessional Conduct*". The purpose of the DOT policy is to provide a framework for preventing and addressing allegations of harassment and unprofessional behavior in the workplace and instructs the Operating Administrations and the Office of the Secretary to establish procedures for reporting and addressing such allegations.

DOT Federal Highway Administration

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EXECUTIVE SUMMARY: PLANNED ACTIVITIES

The following list identifies emphasis areas, activities and/or planned initiatives to address and/or correct program deficiencies in Parts H, I and J

- FHWA will continue to increase its technical assistance and training on EEO, Reasonable Accommodations and D & I at all Discipline Seminars including the development of a Reasonable Accommodations Handbook and EEO Awareness Day Program
- FHWA will conduct a series of online and in-person training sessions related to the Anti-Harassment Process. FHWA has assembled a diverse Anti-Harassment group that represents both Headquarters and field facets of the Agency to guide the training development and content.
- FHWA will continue to strengthen our formalized Anti-Harassment Process that was approved by the FHWA Administrator on 12/13/2019. FHWA will provide effective rollout training on processes, roles, responsibilities to all FHWA Agency Leaders and Management.
- FHWA is looking to streamline our internal programs (EEO, Reasonable Accommodations, and Anti-Harassment) outreach by establishing an Internal Programs Bootcamp. The internal programs boot camp would be a combination of training and program site visits to convey requirements.
- FHWA EEO Awareness Day will be planned for a fiscal year 2021 rollout. It will be an all-day event and resource for FHWA employees to hear perspectives on internal Civil Rights programs.
- FHWA will complete a Reasonable Accommodations Handbook that is a tool for Managers to understand their role and responsibilities.
- FHWA plans to continue to revamp its recruitment efforts to support targeted outreach to increase the number of women and Hispanic women as well as persons with targeted disabilities at all grade levels.
- FHWA will continue create an inclusive organization environment by performing outreach and remaining in close contact in working with our recruitment partners from various associations and organizations that target or serve underrepresented groups, and schools with targeted populations to tap into a diversified applicant pool for all job vacancies while working with these organizations to ensure the success of our recruitment program.
- FHWA will continue to develop new resources and programs for hiring managers that highlight how to find diverse pools of talent for FHWA vacancy announcements as well as how to communicate vacancy announcements to those diverse talent pools.
- FHWA will continue its partnership with universities with a large disability population to provide mock interview experiences for students who may be seeking employment opportunities within FHWA's Pipeline programs.
- In partnership with the DOT Disability Resource Center, FHWA will offer education and training about the DOT Disability Resource Center and how their services benefit FHWA's workforce.
- FHWA will continue to be proactive in its efforts to market the Summer Transportation Internship Program for Diverse Groups (STIPDG) as well as the PDP amongst colleges and universities.
- FHWA will continue to examine and review its recruitment and hiring practices to further identify if there are barriers to underrepresented groups, particularly within the nine mission critical occupations.
- FHWA will continue to utilize and expand the DMC Diversity Champions program to reach the goal of having 100% representation across business units, including the support of Employee Resource groups through our Women's Forum Webinar series.

EEOC FORM
U.S. Equal Employment Opportunity Commission
FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

C FORM 715-01 PART F	U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT
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**CERTIFICATION of ESTABLISHMENT of CONTINUING
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**


I, Irene Rico, Associate Administrator for Civil Rights am the
(Insert name above) (Insert official title/series/grade above)

Principal EEO Director/Official for Federal Highway Administration
(Insert Agency/Component Name above)

The agency has conducted an annual self-assessment of Section 717 and Section 501 programs against the essential elements as prescribed by EEO MD-715. If an essential element was not fully compliant with the standards of EEO MD-715, a further evaluation was conducted and, as appropriate, EEO Plans for Attaining the Essential Elements of a Model EEO Program, are included with this Federal Agency Annual EEO Program Status Report.

The agency has also analyzed its work force profiles and conducted barrier analyses aimed at detecting whether any management or personnel policy, procedure or practice is operating to disadvantage any group based on race, national origin, gender or disability. EEO Plans to Eliminate Identified Barriers, as appropriate, are included with this Federal Agency Annual EEO Program Status Report.

I certify that proper documentation of this assessment is in place and is being maintained for EEOC review upon request.



<div style="background-color: #cccccc; padding: 5px;"><small>IRENE RICO</small> <small>Digitally signed by IRENE RICO Date: 2020.06.09 16:19:21 -0400</small></div> <p>Signature of Principal EEO Director/Official Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.</p>  Signature of Agency Head or Agency Head Designee	<div style="background-color: #cccccc; height: 30px; margin-bottom: 10px;"></div> <p style="text-align: center;">Date</p> <div style="background-color: #cccccc; padding: 5px; text-align: center;">6/30/2020</div> <p style="text-align: center;">Date</p>
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Agency Self-Assessment Checklist



Essential Element: A Demonstrated Commitment From agency Leadership

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.1. The agency issues an effective, up-to-date EEO policy statement.				
	A.1.a. Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "Yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	X			The Departmental Office of Civil Rights issued the DOT EEO Policy statements on behalf of the Department on April 24, 2018. 4/24/2018
	A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	X			

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.2. The agency has communicated EEO policies and procedures to all employees.				
A.2.a. Does the agency disseminate the following policies and procedures to all employees:					
A.2.a.1. Anti-harassment policy? [see MD 715, II(A)]		X			
A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]		X			FHWA uses the Department's Reasonable Accommodation Policy
A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:					
A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]		X			https://www.fhwa.dot.gov/civilrights/
A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR §1614.102(b)(5)]		X			https://www.fhwa.dot.gov/civilrights/programs/eo/
A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.		X			https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/procedures-processing-reasonable-accommodation
A.2.c. Does the agency inform its employees about the following topics:					
A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often and the means by which such training is delivered.		X			Annually
A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.		X			Annually
A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.		X			Annually
A.2.c.4. Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.		X			Annually FHWA has an Anti-Harassment program that was established October 10, 2017. https://www.fhwa.dot.gov/civilrights/programs/anti-harassment/resources.cfm

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A.2.c.5. Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR §2635.101(b)] If “yes”, please provide how often.		X			Annually via mandatory harassment training. Also, continuously via the FHWA Table of Offenses and Penalties, which is posted on FHWA’s internal intranet site. http://staffnet.fhwa.dot.gov/hr/regulations/handbook/appendix_a.htm#d
 Compliance Indicator	A.3. The agency assesses and ensures EEO principles are part of its culture.	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency’s status report
 Measures		Yes	No	N/A	
A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If “yes”, provide one or two examples in the comments section. .		X			The Agency established a Diversity & Inclusion award in 2017 as a part of the Administrator’s Awards Program. The Department also has a Secretary’s Awards Program, which recognizes employees for accomplishments in EEO and the Agency has consistently nominated FHWA employees for those honors.
A.3.b. Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]'		X			Annually for FEVS and Every 2 years for FHWA’s All Employee Survey.

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Essential Element: B Integration of EEO into the agency's Strategic Mission

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.1. The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.				
	B.1.a. Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]		X		The Associate Administrator for Civil Rights Reports to the Agency Executive Director who is the Agency's top career employee. The Executive Director is responsible for all workforce matters in the Agency.
	B.1.a.1. If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.	X			The Associate Administrator for Civil Rights reports to the Executive Director. The Executive Director is responsible for all workforce matters in the Agency.
	B.1.a.2. Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	X			
	B.1.b. Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	X			
	B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.	X			The Associate Administrator presented to Agency leadership the "State of the Agency" briefing on March 29, 2019
	B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.2. The EEO Director controls all aspects of the EEO program.				
	B.2.a. Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			
	B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			
	B.2.c. Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]			X	Investigations are handled at the Departmental Office of Civil Rights.
	B.2.d. Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]			X	Issuance of final Agency decisions occurs at the Departmental Office of Civil Rights.
	B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			
	B.2.f. Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	X			
	B.2.g. If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (c)(3)]			X	This function is handled by the Departmental Office of Civil Rights.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.				
	B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	X			
	B.3.b. Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	X			FHWA strategic and performance planning efforts are aligned to the DOT Strategic Plan. In addition, FHWA has provided a list of objectives that include EEO/ diversity and inclusion principles through INPUT performance tracking system. (This information is provided as supplemental documentation to this report)

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 Compliance Indicator	 Measures	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
	B.4. The agency has sufficient budget and staffing to support the success of its EEO program.				
	B.4.a. Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:				
	B.4.a.1. to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	X			
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			
	B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	X			
	B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	X			
	B.4.a.3. to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR §§ 1614.102(c)(5); 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	X			
	B.4.a.4. to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	X			
	B.4.a.5. to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]	X			
	B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	X			
	B.4.a.7. to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)] If not, please identify the systems with insufficient funding in the comments section.	X			
	B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women's Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]	X			
	B.4.a.9. to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I; EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C. 1]	X			
	B.4.b. Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	X			
	B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	X			
	B.4.d. Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II) (A) of MD-110?	X			Investigators are overseen at the Departmental level.
	B.4.e. Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	X			Investigators are overseen at the Departmental level.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills				
	B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:				
	B.5.a.1. EEO complaint process? [see MD-715(II)(B)]	X			
	B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]	X			
	B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]		X		FHWA's efforts to train supervisors were put on hold in FY19 due to the Pilot Anti-Harassment Process being converted to Permanent Anti-Harassment Process. FHWA focused its resources in the development of the Permanent Anti-Harassment Process that aligns with DOT's Anti-Harassment Framework. FHWA then worked on developing a rollout of the new process (See page 31 of PDF).
	B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	X			
	B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	X			FHWA has begun the training for all Managers but has not completed it.

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 Compliance Indicator		Measure Has Been Met			
 Measures		Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
	B.6. The agency involves managers in the implementation of its EEO program.				
	B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	X			
	B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	X			
	B.6.c. When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	X			
	B.6.d. Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR §1614.102(a)(5)]	X			

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Essential Element: C Management and Program Accountability

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.1. The agency conducts regular internal audits of its component and field offices.			N/A	
C.1.a. Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.		X			FHWA periodically on an annual basis accesses its field offices for possible EEO deficiencies.
C.1.b. Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.		X			FHWA annually conducts assessments on the Agency's efforts to remove barriers from the workplace.
C.1.c. Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]		X			

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 Compliance Indicator	 Measures	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
C.2. The agency has established procedures to prevent all forms of EEO discrimination.					
C.2.a. Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]		X			FHWA Anti-Harassment policy and procedures have been updated
C.2.a.1. Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]		X			
C.2.a.2. Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]		X			
C.2.a.3. Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]		X			
C.2.a.4. Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [See Enforcement Guidance, V.C.]		X			Beginning in March 2019.
C.2.a.5. Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see Complainant v. Dep't of Veterans Affairs, EEOC Appeal No. 0120123232 (May 21, 2015); Complainant v. Dep't of Defense (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.		X			Beginning in March 2019.
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)]		X			
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)]		X			FHWA currently follows the Department's RA procedures.
C.2.b.1. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR §1614.203(d)(3)(D)]		X			
C.2.b.2. Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]		X			
C.2.b.3. Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR §1614.203(d)(1)(ii)(B)]		X			
C.2.b.4. Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR §1614.203(d)(3)(i)(M)]		X			
C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If "no", please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.		X			
C.2.c. Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR §1614.203(d)(6)]		X			FHWA currently follows the Department's procedures.

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C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.		X			https://www.transportation.gov/drc/personal-assistance-as-reasonable-accommodation
 Compliance Indicator	C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
C.3.a. Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?		X			
C.3.b. Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:					
C.3.b.1. Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]		X			
C.3.b.2. Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]		X			
C.3.b.3. Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]		X			
C.3.b.4. Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]		X			
C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]		X			
C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]		X			
C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]		X			
C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]		X			
C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]		X			
C.3.c. Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]				X	Recommendations for corrections are handled at the Departmental Office of Civil Rights .
C.3.d. When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]				X	This situation has not occurred.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.4. The agency ensures effective coordination between its EEO program and Human Resources (HR) program.				
	C.4.a. Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	X			
	C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]	X			
	C.4.c. Does the EEO office have timely access to accurate and complete data (e.g., demographic data for the workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]	X			
	C.4.d. Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	X			
	C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:				
	C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	X			
	C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	X			
	C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X			
	C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	X			
	C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.			N/A	
	C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]	X			http://staffnet.fhwa.dot.gov/hr/regulations/handbook/appendix_a.htm
	C.5.b. When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	X			Although the Agency takes appropriate action, there were no reported actions this year.
	C.5.c. If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct (e.g., post mortem to discuss lessons learned)? [see MD-715, II(C)]	X			Information is provided in appropriate cases.
 Compliance Indicator	C.6. The EEO office advises managers/supervisors on EEO matters.	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	C.6.a. Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.	X			This is discussed annually within FHWA.
	C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	X			

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Essential Element: D Proactive Prevention

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.			N/A	
	D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	X			
	D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	X			
	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)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)	Yes	No	N/A	
	D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	X			
	D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	X			
	D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	X			
	D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.	X			Complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, Anti-Harassment Program, special emphasis programs, and the Reasonable Accommodation Program.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.3. The agency establishes appropriate action plans to remove identified barriers.	Yes	No	N/A	
	D.3.a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	X			
	D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]	X			
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.	Yes	No	N/A	
	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.	X			https://www.fhwa.dot.gov/civilrights
	D.4.b. Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR §1614.203(d)(1)(i)]	X			
	D.4.c. Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR §1614.203(d)(1)(ii)(A)]	X			
	D.4.d. Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR §1614.203(d)(7)(ii)]	X			

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Agency Self-Assessment Checklist

Essential Element: E Efficiency

DOT Federal Highway Administration

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.				
	E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	X			
	E.1.b. Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?	X			
	E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?			X	This function is handled by the Departmental Office of Civil Rights.
	E.1.d. Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.			X	This function is handled by the Departmental Office of Civil Rights.
	E.1.e. Does the agency ensure that all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?	X			
	E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?			X	This function is handled by the Departmental Office of Civil Rights.
	E.1.g. If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?			X	This function is handled by the Departmental Office of Civil Rights.
	E.1.h. When the complainant did not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?			X	This function is handled by the Departmental Office of Civil Rights.
	E.1.i. Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?			X	This function is handled by the Departmental Office of Civil Rights.

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Agency Self-Assessment Checklist

<p>E.1.j. If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.</p>			<p>X</p>	<p>FHWA does not use contractors for its stages of the EEO process. To the extent contractors are used, this is handled by the Departmental Office of Civil Rights.</p>
<p>E.1.k. If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]</p>	<p>X</p>			
<p>E.1.l. Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]</p>			<p>X</p>	<p>This function is handled by the Departmental Office of Civil Rights.</p>

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.2. The agency has a neutral EEO process.			N/A	
E.2.a. Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If "yes", please explain.		X			There is a clear distinction between leadership of the Office of Civil Rights and the Office of Chief Counsel in managing the complaint programs and defensive functions.
E.2.b. When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/ location of the attorney who conducts the legal sufficiency review in the comments column.				X	Legal sufficiency reviews are handled at the Departmental level.
E.2.c. If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]				X	Legal sufficiency reviews are handled at the Departmental level.
E.2.d. Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]		X			
E.2.e. If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? [see EEOC Report, Attaining a Model Agency Program: Efficiency (Dec. 1, 2004)]				X	Legal sufficiency reviews are handled at the Departmental level.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.				
E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]		X			
E.3.b. Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]		X			Mandatory participation is required of managers and supervisors once offered and Aggrieved Person elects.
E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]		X			
E.3.d. Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]		X			
E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]		X			
E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]				X	This assessment is handled at the Departmental level.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program.				
E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data:					
E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]		X			
E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]		X			
E.4.a.3. Recruitment activities? [see MD-715, II(E)]		X			
E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]		X			
E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]		X			
E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]		X			
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]		X			

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Agency Self-Assessment Checklist



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.5. The agency identifies and disseminates significant trends and best practices in its EEO program.				
E.5.a. Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			Reviews Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints (EEOC Form 462) to develop and provide training in EEO areas.
E.5.b. Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			Adopted a best practice from GSA. EEO counselors provide initial contact form to Aggrieved Persons to review for accuracy of EEO allegations.
E.5.c. Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]		X			

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Agency Self-Assessment Checklist





Essential Element: F Responsiveness and Legal Compliance

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.				
	F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	X			
	F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	X			
	F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	X			
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X			
	F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX) (H)]			X	Compliance Officer is at the Departmental Level.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.				
	F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	X			
	F.2.a.1. When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]			X	This function is handled by the Departmental Office of Civil Rights.
	F.2.a.2. When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	X			FHWA notes, however, that there have not been any such findings in recent years.
	F.2.a.3. When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]			X	This function is handled by the Departmental Office of Civil Rights.
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?			X	This function is handled by the Departmental Office of Civil Rights.
 Compliance Indicator	F.3. The agency reports to EEOC its program efforts and accomplishments.	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	X			
	F.3.b. Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	X			

Essential Element: O Other

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Plan to Attain Essential Elements

PART H.1

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]

The Agency has not trained all employees (supervisory and non-supervisory) on DOT's anti-harassment policies

OBJECTIVE:

Date Objective Initiated: Dec 1, 2016 Target Date For Completion Of Initiative: Dec 1, 2016

To ensure that all managers/supervisors are trained on anti-harassment policies.

Responsible Official

Irene Rico

Planned Activities

<i>Target Date</i>	<i>Planned Activity</i>
Sep 30, 2017 12:00 AM	Identify available training module and/or develop and implement a training module for anti-harassment policies
Sep 30, 2017 12:00 AM	Present webinars, in person training and/ or web-based sessions to be delivered and/ or offered to managers, supervisors and employees

**Report of Accomplishments
and Modifications to
Objective**

The mandatory training began in FY 18 and will continue each FY that follows, via a series of Webinars and in person sessions. Proactive prevention is the best tool to prevent harassment in the workplace. Therefore, FHWA's training focuses on prevention and employee involvement in creating a civil and inclusive culture within the workplace.

On June 21, 2019, the Department issued its Policy Framework for the Prevention of Harassment, which, among other things, requires each mode to develop an anti-harassment process incorporating certain parameters, and submit that process for OST review within 90 days. The FHWA pilot process already met many of the Framework's requirements but did not meet others. Since the issuance of the Framework, the workgroup has been working to revise the FHWA pilot process to conform to the Framework's requirements. Similar to the Pilot process, the proposed FHWA Anti-Harassment Process addresses allegations of any type of harassment in or relating to the FHWA workplace. Based on the Policy Framework FHWA submitted the updated procedures to OST for approval on September 19, 2019. On November 19, 2019, FHWA received final approval for its process. The FHWA communicated the approval and the new process to all employees on December 18, 2019, via email. Training FHWA secured a contract for FY 2020 Anti-Harassment Training. This contract will provide anti-harassment training to all FHWA employees.

Training FY2020 Anti-Harassment Training of Managers/Supervisors (Agency Leaders, Headquarters Management, and Field Management) is in process in FY 2020. Over seven in-person and virtual sessions for the Prevention of Harassment are being scheduled. In addition, FHWA developed and released the Anti-Harassment Toolkit for Managers that is a comprehensive resource to managers to understand their roles and responsibilities.

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Plan to Attain Essential Elements

OBJECTIVE:	<u>Date Objective Initiated:</u> Sep 30, 2017	<u>Target Date For Completion Of Initiative:</u> Sep 30, 2017
	Identify available training module and/or develop and implement a training module for anti-harassment policies	
Responsible Official	Irene Rico	
Planned Activities	<u>Target Date</u>	<u>Planned Activity</u>
	Sep 30, 2017 12:00 AM	Identify available training module and/or develop and implement a training module for anti-harassment policies
	Sep 30, 2017 12:00 AM	Present webinars, in person training and/ or web-based sessions to be delivered and/ or offered to managers, supervisors and employees
Report of Accomplishments and Modifications to Objective	<p>The mandatory training began in FY 18 and will continue each FY that follows, via a series of Webinars and in person sessions. Proactive prevention is the best tool to prevent harassment in the workplace. Therefore, FHWA's training focuses on prevention and employee involvement in creating a civil and inclusive culture within the workplace.</p> <p>On June 21, 2019, the Department issued its Policy Framework for the Prevention of Harassment, which, among other things, requires each mode to develop an anti-harassment process incorporating certain parameters, and submit that process for OST review within 90 days. The FHWA pilot process already met many of the Framework's requirements but did not meet others. Since the issuance of the Framework, the workgroup has been working to revise the FHWA pilot process to conform to the Framework's requirements. Similar to the Pilot process, the proposed FHWA Anti-Harassment Process addresses allegations of any type of harassment in or relating to the FHWA workplace. Based on the Policy Framework FHWA submitted the updated procedures to OST for approval on September 19, 2019. On November 19, 2019, FHWA received final approval for its process. The FHWA communicated the approval and the new process to all employees on December 18, 2019, via email. Training FHWA secured a contract for FY 2020 Anti-Harassment Training. This contract will provide anti-harassment training to all FHWA employees.</p> <p>Training FY2020 Anti-Harassment Training of Managers/Supervisors (Agency Leaders, Headquarters Management, and Field Management) is in process in FY 2020. Over seven in-person and virtual sessions for the Prevention of Harassment are being scheduled. In addition, FHWA developed and released the Anti-Harassment Toolkit for Managers that is a comprehensive resource to managers to understand their roles and responsibilities.</p>	

PART H.2

STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:	B.1.a. Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]
The Associate Administrator for Civil Rights Reports to the Agency Executive Director who is the Agency's top career employee. The Executive Director is responsible for all workforce matters in the Agency.	

DOT Federal Highway Administration

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Plan to Attain Essential Elements

PART H.3

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]

The FHWA has not completed a 3-year trend analyses for the workforce compensation and reward system by race, national origin, sex, and disability.

OBJECTIVE:	<i>Date Objective Initiated:</i> Dec 15, 2005	<i>Target Date For Completion Of Initiative:</i> Sep 30, 2017
	To conduct trend analyses for workforce compensation and reward system by race, national origin, sex, and disability.	

Responsible Official	David Lewis
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Planned Activities	<i>Target Date</i>	<i>Planned Activity</i>
	Sep 17, 2017 12:00 AM	HCR in continued partnership with HR will conduct annual barrier analyses by race, national origin and sex on workforce compensation and awards for the last 3 to 5 years.
Sep 30, 2017 12:00 AM	HCR in continued partnership with HR will conduct annual trend analyses by disability on workforce compensation and awards for the last 3 to 5 years.	

Report of Accomplishments and Modifications to Objective	<p>The FHWA continues to examine and review its recruitment trends in an effort to bolster the Agency's corporate recruitment plan. It will be utilizing the Data Visualization Center to continue to identify new ways to improve its recruitment and onboarding efforts. As part of this new plan a focus was put on increasing outreach and diversity in FHWA's workforce with a particular focus on women. A 30-plus page recruitment plan that created 5 year benchmarks of FHWA's applicant pool, aligned with previous workforce plans, identified underrepresented populations and hiring targets for each as well as predictions for mission critical turnover was developed. Hiring fairs and outreach events were identified to align with the data to create a strategic approach to organizational outreach and recruitment. FHWA worked with FHWA leadership to develop a designated team for recruitment and outreach. The result was the creation of the Recruitment Outreach and Diversity (ROAD) Team. The ROAD Team created new promotional materials including brochures and a banner for display and distribution. In addition, FHWA recognized a need to understand how to advertise its careers in urban areas. FHWA conducted market research on brand awareness and specifically looked at the effectiveness of transit advertising in multiple metropolitan areas. The information was later used to identify a vendor and advertising package to pursue billboard advertising to promote the Agency's very own career fair in Q2 of FY 2020. To further support the ROAD Team and the Agency's recruitment efforts, FHWA enhanced its Ambassador's Program, which is an initiative to select and train Division Office recruiters all over the Agency. The ROAD Team updated the list of approximately 100 recruiters and grew the list with support from senior leadership to approximately 180 ambassadors. New recruiters were selected with an emphasis on creating as much diversity as possible. A 1-day training was created for Ambassadors to teach them how to be effective recruiters, or Ambassadors, for FHWA. Two separate 1-day trainings were offered in FY 19. Post-course feedback was very positive with the course receiving overwhelmingly positive reviews. FHWA now has a larger pool of diverse recruiters nationwide to attend hiring fairs, professional conferences, and career info sessions while visiting colleges and universities. A list of universities as well as points of contact was compiled. Each university was contacted via email or phone to ensure that FHWA's contact list was up to date. Utilizing Handshake, US News and World Report's annual list of top engineering schools, and lists of Minority Serving Institutions, Historically Black Colleges and Universities, All female universities, Hispanic Serving Institutes and Asian Serving Institutes as well as large universities with diverse student bodies. FHWA now has a list of 239 universities with specific points of contact that its recruiters have access to. Many have already used the list to begin outreach efforts and conduct presentations at universities.</p> <p>The FHWA "At-A-Glance" workforce analysis report for FY 18 was completed and presented to the Agency in February 2019. On an annual basis, this workforce analysis is presented as a snapshot of the FHWA's workforce by Gender, Ethnicity, Disability, Grade Dispersion, Awards and Recognition. FHWA continues to monitor and conduct an annual trend analysis by race, national origin and sex on workforce compensation and awards.</p>
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Plan to Attain Essential Elements

PART H.4

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

OTHER. OTHER

The FHWA does not track the effectiveness of our targeted outreach recruitment efforts and analyze resulting data to identify potential barriers in accordance with MD-715 standards.

OBJECTIVE:	<u>Date Objective Initiated:</u> Dec 15, 2011		<u>Target Date For Completion Of Initiative:</u> Sep 17, 2017	
	To track and analyze the effectiveness of our targeted recruitment outreach efforts to determine whether FHWA is yielding a sufficient number of applications from the targeted recruitment activities conducted throughout the year			
Responsible Official	David Lewis			
Planned Activities	<u>Target Date</u>	<u>Planned Activity</u>		
	Sep 30, 2017 12:00 AM	Analyze Data.		
	Sep 30, 2020 12:00 AM	FHWA will work to identify the best approach to gathering and tracking data on recruitment resources.		
Report of Accomplishments and Modifications to Objective	In FY 18 recruitment efforts were not as expected due to additional processes built into the vetting approval process of new positions by FHWA. The Department approves all vacancies. This adds an additional layer to the process. A modified plan is still in developmental stages with the target date of 09/30/2020 so that multiple year trend analyses can be performed. Recruitment activities will continue to be monitored for hiring trends for FY 19/20.			
	The FHWA continues to examine and review its recruitment trends. It will be utilizing the Data Visualization Center to continue to identify ways to improve its recruitment and onboarding efforts. This will be an ongoing effort for FY 2020.			

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Plan to Attain Essential Elements

PART H.5

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

OTHER. OTHER

The FHWA did not have Anti-Harassment procedures to complement its current Anti-Harassment policy. The FHWA developed procedures to address this deficiency in FY 19 and Agency Leadership signed the procedures in FY 20. Implementation is currently underway.

OBJECTIVE:	<u>Date Objective Initiated:</u> Jan 1, 2019	<u>Target Date For Completion Of Initiative:</u> Sep 30, 2020
	Revise current Anti-Harassment policy statement to bring it in compliance with EEOC requirements.	
Responsible Official	Irene Rico	
PlannedActivities	<u>Target Date</u>	<u>Planned Activity</u>
	Sep 30, 2019 12:00 AM	The FHWA pilots an Anti-Harassment Training Program including the coordination process. As part of the roll out of that pilot program, FHWA issued an anti-harassment policy statement in October 2017.
Report of Accomplishments and Modifications to Objective	<p>The FHWA delivered training and technical assistance on the Anti-Harassment Coordination Program. On October 10, 2017, FHWA Acting Administrator signed the Anti-Harassment policy statement. This statement was distributed to all employees outlining the process for filing harassment complaints. A brochure was also developed and made available to employees via the Website https://www.fhwa.dot.gov/civilrights/programs/docs/antiharass_pilot_brochure.pdf FHWA completed all objectives and developed policies and procedures addressing the deficiency in the EEO Program. FHWA continues to revise the policy</p> <p>On June 21, 2019, the Department issued its Policy Framework for the Prevention of Harassment, which, among other things, requires each mode to develop an anti-harassment process incorporating certain parameters, and submit that process for OST review within 90 days. The FHWA pilot process already met many of the Framework's requirements but did not meet others. Since the issuance of the Framework, the workgroup has been working to revise the FHWA pilot process to conform to the Framework's requirements. Similar to the pilot process, the proposed FHWA Anti-Harassment Process addresses allegations of any type of harassment in or relating to (FHWA) workplace. The process identifies the management official responsible for deciding whether or not harassment has occurred. Based on the Policy Framework, FHWA submitted the updated procedures to OST for approval on September 19, 2019. The procedures were approved by OST and signed by the Administrator on December 13, 2019. The Executive Director issued the Anti-Harassment Process electronically on December 18, 2019.</p>	
OBJECTIVE:	<u>Date Objective Initiated:</u> Mar 30, 2018	<u>Target Date For Completion Of Initiative:</u> Sep 30, 2019
	Develop step-by-step procedures and identify responsible management official for deciding whether or not harassment has occurred.	
Responsible Official	Irene Rico	
PlannedActivities	<u>Target Date</u>	<u>Planned Activity</u>
	Sep 30, 2019 12:00 AM	The FHWA pilots an Anti-Harassment Training Program including the coordination process. As part of the roll out of that pilot program, FHWA issued an anti-harassment policy statement in October 2017.
Report of Accomplishments and Modifications to Objective	<p>On June 21, 2019, the Department issued its Policy Framework for the Prevention of Harassment, which, among other things, requires each mode to develop an anti-harassment process incorporating certain parameters, and submit that process for OST review within 90 days. The FHWA pilot process already met many of the Framework's requirements but did not meet others. Since the issuance of the Framework, the workgroup has been working to revise the FHWA pilot process to conform to the Framework's requirements. Similar to the pilot process, the proposed FHWA Anti-Harassment Process addresses allegations of any type of harassment in or relating to (FHWA) workplace. The process identifies the management official responsible for deciding whether or not harassment has occurred.</p>	

DOT Federal Highway Administration

For period covering October 1, 2018 to September 30, 2019

Plan to Eliminate Identified Barriers

PART I.1

<p>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>White Females Hispanic Females, American Indian or Alaska Native Females Native Hawaiian or Other Pacific Islander Females, Two or More Races Males Persons with Disabilities Persons with Targeted Disabilities</p>					
<p>STATEMENT OF BARRIER GROUPS:</p>	<p><i>Barrier Group</i></p> <p>Hispanic or Latino Females White Females Native Hawaiian or Other Pacific Islander Females American Indian or Alaska Native Females Two or More Races Males</p>					
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>						
<p>STATEMENT OF IDENTIFIED BARRIER:</p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>FHWA has a low participation rate for the groups identified below as compared with the FY 10 Civilian Labor Workforce. • Women • Hispanic Females • White Females • Native Hawaiian or Other Pacific Islander Females • American Indian or Alaska Native Males • American Indian or Alaska Native Females • Two or More Races Males • Persons with Disabilities at the GS 12-SES • Persons with Targeted Disabilities at the GS 13/14 and SES levels</p>					
<p>Objective</p>	<p>FHWA will continue to implement its focus outreach efforts to recruit qualified female applicants and applicants from groups with lower than expected participation rates. FHWA will leverage its resources to increase recruitment efforts, through the 2019-2022 Strategic Plan.</p> <table border="1" data-bbox="760 1087 1559 1234"> <tr> <td data-bbox="760 1087 922 1150">Date Objective Initiated</td> <td data-bbox="922 1087 1559 1150">Mar 30, 2018</td> </tr> <tr> <td data-bbox="760 1150 922 1234">Target Date For Completion Of Objective</td> <td data-bbox="922 1150 1559 1234">Sep 30, 2020</td> </tr> </table>		Date Objective Initiated	Mar 30, 2018	Target Date For Completion Of Objective	Sep 30, 2020
Date Objective Initiated	Mar 30, 2018					
Target Date For Completion Of Objective	Sep 30, 2020					
<p>Responsible Officials</p>	<p>Irene Rico Associate Administrator for Civil Rights David Lewis Director of Human Resources</p>					
<p>Planned Activities Toward Completion of Objective</p>	<p>Planned Activity</p> <p>FHWA will continue to implement its focus outreach efforts to recruit qualified female applicants and applicants from groups with lower than expected participation rates. FHWA will leverage its resources to increase recruitment efforts, through the 2019-2022 Strategic Plan.</p>	<p>Target Date</p> <p>Mar 30, 2018</p>				
<p>Report of Accomplishments and Modifications to Objective</p>	<p>FHWA will report on its accomplishments for this in FY 2020.</p>					

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 | Yes |

Source: Table B1: In FY19, PWD in GS 1-10 Cluster of the permanent workforce participate at 22.71%, a higher rate than the expected 12% benchmark, indicating no trigger. PWD in the GS 11 to SES Cluster participate at 9.46%, a lower rate than the expected 12% benchmark, indicating a trigger. (Source: Table B-4-1)

*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 |

Table B1: In FY19, PWTD in GS 1-10 Cluster of the permanent workforce participate at 8.42%, a higher rate than the expected 2% benchmark, indicating no trigger. PWTD in the GS 11 to SES Cluster participate at 2.0%, a rate equal to the expected 2% benchmark, indicating no trigger. (Table B-4-1)

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

Through FY19, the Agency's numerical goals for hiring person with disabilities was shared via the Agency's quarterly Leadership Team Dashboard. This was specifically targeted toward managers and supervisors and is posted on the Agency's internal Website to provide access to all employees. In addition, the annual FHWA At-A-Glance report and All Employee Webinar briefing are used to share information on the Agency's workforce including the status of persons with disabilities. Also, all senior leadership members receive the office profile for their organization biannually which includes information on the numerical representation of persons with disabilities and persons with targeted disabilities in their organizations. The Agency's annual Workforce Plan includes a section on "Employment of Persons with Disabilities" that identifies the numerical goals and how the Agency did in meeting those goals.

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

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	1	0	0	Marlo Moises Lead Human Resources Specialist
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Marlo Moises Lead Human Resources Specilaist
Processing reasonable accommodation requests from applicants and employees	1	0	0	Kirsten Poston Disability Program Manager
Section 508 Compliance	1	0	0	Michelle Cribbs Transportation Specialist
Architectural Barriers Act Compliance	1	0	0	Jeffrey Baxter Associate Director of Facilities
Special Emphasis Program for PWD and PWTD	1	0	0	Kirsten Poston Disability Program Manager

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

All Human Resources Specialists and hiring managers are required to complete the Veteran Employment Training for Human Resource Professionals which also includes information on the use of Schedule A hiring authorities. This information is tracked via the DOT’s Learning Management System.

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

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 FHWA has a multipronged approach to identify potential applicants with disabilities. This includes: • Participating in recruitment and outreach events that focus on the employment of persons with disabilities. In FY19, FHWA participated in 53 recruitment events in 24 States. Of those seven events were related to disability hiring. • Developing and maintaining relationships with disability organizations and colleges with disability offices. This allows FHWA to share information related to job opportunities which can be shared with their community. In some instances, these organizations have helped FHWA to post job announcements on their recruitment sites to be more visible. FHWA is using Handshake and Simplicity to post job opportunities. • The FHWA has launched a new Recruitment, Outreach and Diversity plan that focuses on increasing the number of applicants with disabilities in FHWA's applicant pool. To achieve this outcome the Agency intends to increase the number of hiring fairs targeting applicants with disabilities nationally. • The DOT Executive Agent has a standard list of professional organizations, and academic institutions that automatically receive a copy of all job announcements posted via USAJobs. More specifically, FHWA has used the following recruitment sources as part of its outreach to have persons with disabilities apply for vacancies: • OPM's Shared List of People with Disabilities; the Workforce Recruitment Program database; State and local vocational rehabilitation agencies and employment offices; the U.S. Department of Veterans Affairs, Wounded Warrior Office and Vets 2 Feds; Military installations and transition offices. This list is not all encompassing but provides a broad view of the Agency's ongoing efforts.

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

FHWA utilizes appointing authorities to include Schedule A, Excepted Service, Veterans Recruitment Appointment and 30% or more Disabled Veterans. FHWA continues to work with the DOT Office of the Secretary on the establishment of the Warriors to the DOT program. FHWA was one of a just a few agencies within DOT to make a selection in support of this program. HR specialists provide information on these hiring flexibilities when contacted by hiring managers to fill a vacancy. The HR Specialist identifies which authority may meet the needs of the office and provides information on how to use the authorities if deemed appropriate.

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.

At FHWA, the HR Specialists work directly with hiring managers to use the non-competitive excepted service hiring authorities, including Schedule A. If a manager determines that a hiring authority that takes disability into account may be used, the HR Specialists provides specific information related to how applications are received and reviewed. This may include requesting resumes from the Agency's Disability Resource Manager assigned to collect and share this information. In addition, Agency recruiters from around the country may be asked for points of contacts for veteran organizations to facilitate resume collection. FHWA receives and reviews resumes and determines whether the applicants are qualified for the position and whether the applicants submitted the necessary supplemental documents including Schedule A letters. Resumes and supplemental documents are then forwarded to the hiring manager. After the hiring manager completes interviewing of qualified candidates, he/she decides if the applicant can perform the job duties. The applicant must meet the qualification requirements, including specialized experience, 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 Yes

In FY19, the FHWA Office of Human Resources conducted Webinars on hiring veterans, disabled veterans and persons with disabilities for the HR Community as well as for the hiring managers. The FHWA Selective Placement Program Coordinator advised the HR Specialists on the Goals for FY19, as well as addressing workforce/succession planning needs. As positions become vacant, HR Specialists discussed the hiring flexibilities and options with hiring managers to reinforce the Agency's commitment for employing a diverse workforce.

B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS

Describe the agency's efforts to establish and maintain contacts with organizations that assist PWD, including PWTD, in securing and maintaining employment.

The FHWA launched a new ROAD Team to conduct a review of organizations, colleges and universities, and other organizations that serve persons with disabilities and veterans. The organizations are contacted and provided information about FHWA, as well as the name and email of a dedicated resource to contact. The ROAD Team has participated in outreach to the disability employment organizations and outreach sources as well as conducting meetings with them to update resource information and to explore potential future partnerships. In FY19, FHWA attended seven recruitment events at colleges, universities, academic institutions, and professional associations that support populations of diverse recruitment candidates.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

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

In FY19, the new hire rate for FHWA PWD in the permanent workforce was 16.52%, a higher rate than the expected 12% benchmark, indicating no trigger. The new hire rate for FHWA PWTD in the permanent workforce is 4.35%, a higher rate than the expected 2% benchmark, indicating no trigger.

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 |

See Table on page 64 of the PDF version of the report.

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 |

See Page 65 of the PDF version of the report.

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

- | | | |
|------------------------------|--------|-----|
| a. Promotions for MCO (PWD) | Answer | Yes |
| b. Promotions for MCO (PWTD) | Answer | Yes |

Please see page 65 of the PDF of the report.

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.

FHWA employees, including PWD and PWTD, are provided equal access to career development opportunities for advancement. Promotion opportunities are posted on FHWA's internal StaffNet site, USAJOBS, and emails are sent to all employees with a link to the vacancy announcement on USAJOBS. The opportunity for advancement is the same for all employees. Career ladders are established based on the position and the needs of the office. This reduces any negative impact on PWD and PWTD.

B. CAREER DEVELOPMENT OPPORTUNITES

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

The FHWA encourages and provides training and career development opportunities for all employees, including PWD and PWTD. Within the Office of Human Resources, the Agency has staff dedicated to the development of a catalog of professional and leadership opportunities. There is a focus on the leadership pipeline, however opportunities are provided for employees at all grade levels and across all job series. FY 2019 Webinars and trainings focused on the development of the Individual Developmental Plans to help employees take ownership of their personal development while understanding how their supervisors and assist them in reaching their goals. The FHWA also institutes a number of career development programs that support and prepare our Agency's employees for enhanced performance and career advancement. These programs target employees at all levels in a variety of ways. The programs are as follows: PDP, FHWA 360 Degree Leadership Assessment, Discipline Support System, Is Supervision for Me?, Building the Foundation for Visionary Leadership, Career Advancement Webinar Series, DMC Women's Forum Webinar Series, Critical Human Resources Skills, Formal Mentoring Program, Individual Development Plan Workshop, Launch Point, Leadership Competency Certificate Program, Leadership Development Academy, Management and Supervision Forum Webinar Series, Organizational Facilitation, Transportation Operations Academy Senior Management Program, and the Freight Academy Program.

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 (#)
Internship Programs	49	31	10.2	16.1	4.1	6.5
Fellowship Programs	5	1	20.0	100.0	20.0	100.0
Mentoring Programs	48	48	10.4	10.4	2.1	2.1
Coaching Programs	2	2	0.0	0.0	0.0	0.0
Training Programs	25	12	12.0	16.7	0.0	0.0
Detail Programs	6	5	16.7	0.0	0.0	0.0
Other Career Development Programs	432	389	9.3	10.0	3.0	3.1

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 Yes

PWD were selected for training programs at a lower rate than they applied for Detail Programs, indicating a trigger. Of the six employees who applied for a detail assignment, one applicant was a person with a disability. The individual was not among those selected which indicates a trigger. The trigger resulting from the non-selection of one employee presents a questionable level of significance. For all other career development programs, PWD's were selected at the same or higher rate indicating no trigger.

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

For all career development programs, PWTD's were selected at the same or higher rate indicating no trigger.

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

Please see page 68 of the reports PDF to see the table that explains this category.

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 No

Please see page 69 of the PDF of the report for the table explaining this category.

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 Yes

b. Other Types of Recognition (PWTD)

Answer Yes

Please see page 69 of the PDF version of the report for explanation of this category.

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 Yes

ii. Internal Selections (PWD)

Answer Yes

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 Yes

ii. Internal Selections (PWD)

Answer Yes

d. Grade GS-13

i. Qualified Internal Applicants (PWD)

Answer Yes

ii. Internal Selections (PWD)

Answer Yes

See page 70-71 of the PDF version of the report for the table that explains this category.

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 Yes

b. Grade GS-15

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

Please see page 71 of the PDF of the report for the table supporting these answers.

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

See page 72 of the PDF of the report to see the table reflected for this category.

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

Please see page 73 of the PDF for this category

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

a. Executives		
i. Qualified Internal Applicants (PWD)	Answer	Yes
ii. Internal Selections (PWD)	Answer	Yes
b. Managers		
i. Qualified Internal Applicants (PWD)	Answer	No
ii. Internal Selections (PWD)	Answer	Yes
c. Supervisors		
i. Qualified Internal Applicants (PWD)	Answer	Yes
ii. Internal Selections (PWD)	Answer	Yes

See page 73 on the PDF version of the report for explanation of this category.

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	Yes
b. Managers		
i. Qualified Internal Applicants (PWTD)	Answer	No

ii. Internal Selections (PWTD) Answer Yes

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer Yes

ii. Internal Selections (PWTD) Answer No

See page 74 of the PDF for the table that explains this category.

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

a. New Hires for Executives (PWD) Answer Yes

b. New Hires for Managers (PWD) Answer Yes

c. New Hires for Supervisors (PWD) Answer Yes

See table on page 75 of the PDF for the table that explains this category.

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

a. New Hires for Executives (PWTD) Answer Yes

b. New Hires for Managers (PWTD) Answer Yes

c. New Hires for Supervisors (PWTD) Answer Yes

See page 75 of the PDF showing the table that explains this category.

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 No

All but one Schedule A employee was converted after 2 years of satisfactory service. Conversion is still being considered for the remaining employee, but has been delayed in an effort to resolve conduct and performance concerns prior to conversion.

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 Yes

b. Involuntary Separations (PWD) Answer Yes

See page 77 of the PDF for the table that explains this category.

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 Yes

b. Involuntary Separations (PWTD) Answer No

See page 77 of the PDF for the table that explains this category.

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.

In analyzing the exit interview results and other data sources, the large majority of reasons why PWD and/or PWTD left the Agency was for family reasons, health reasons including medical hardships, and career promotional opportunities. A good number of employees also left the Agency due to retirement.

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.

The internet address on the Agency's public Website regarding Section 508 of the Rehabilitation Act of 1973, including a description of how to file a complaint is www.transportation.gov/accessibility.

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.

The internet address on the Agency's public Website regarding Architectural Barriers Act is www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards.

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.

Not Applicable.

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 Agency complies with the policy of processing requests within the 25-business day policy as set forth by the Department's Order 1101.1A. FHWA processes reasonable accommodations requests within this time frame unless extenuating circumstances prevent it from doing so. Requests are processed through the Department's Reasonable Accommodations Online Tracking System.

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.

During FY 19 the Agency worked with the Departmental Office of Civil Rights to revise and update DOT Order 1011.1B. The Department hosted several sessions of training on Reasonable Accommodations during FY 19. The Agency Disability Program Manager provided a training overview of the Reasonable Accommodations process to FHWA Leadership, and to several division offices. The Agency has completed a draft of the Reasonable Accommodations Handbook which is currently under internal review and expects to submit to EEOC in the later part of FY 20 for review and approval after the Department receives approval on their updated version of the DOT Order on Reasonable Accommodations.

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.

This is handled at the Departmental level.

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 Yes

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 Yes

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.

FHWA had no findings of discrimination in FY 19. FHWA settled cases involving, among other claims, those of harassment based on disability status. These cases were not considered to be ones where there was a substantial risk of an adverse finding on the harassment issue, and the cases were resolved without any admission of liability. Accordingly, no corrective measures were required on these claims.

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 Yes

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.

FHWA had no findings of discrimination in FY 19. FHWA settled cases involving, among other claims, those of reasonable accommodation. These cases were not considered to be ones where there was a substantial risk of an adverse finding on the reasonable accommodation issue, and the cases were resolved without any admission of liability. Accordingly, no corrective measures were required on the reasonable accommodation claims.

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 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

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

FHWA is targeting a 09/30/2020 as a completion date for the objectives listed above.

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

FHWA will report out progress and updates for the upcoming FY 20 MD-715 Report.

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.

FHWA will report out progress and updates for the upcoming FY 20 MD-715 Report.