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| <b>EEOC FORM<br/>715-01<br/>PART A - D</b>                                 |  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |   |
| <b>Department of Transportation/DOT Federal<br/>Highway Administration</b> |  | <b>For period covering October 1, 2016 to September 30, 2017</b>  |   |
| <b>PART A<br/>Department<br/>or Agency<br/>Identifying<br/>Information</b> | <b>1. Agency</b>   |   | Federal Highway Administration  |
|  | 1.a. 2nd level reporting component                                   |   |   |
|  | 1.b. 3rd level reporting component                                   |   |   |
|  | 1.c. 4th level reporting component                                   |   |   |
|  | <b>2. Address</b>  |   | 1200 New Jersey Avenue, SE  |
|  | <b>3. City, State, Zip Code</b>                                      |   | Washington                      District of Columbia                      20590 |
|  | <b>4. Agency Code</b>  | <b>5. FIPS code(s)</b>  | TD04                      110010001   |
| <b>PART B<br/>Total<br/>Employment</b>                                     | 1. Enter total number of permanent full-time and part-time employees |   | 2722  |
|  | 2. Enter total number of temporary employees                         |   | 5   |
|  | 3. Enter total number employees paid from non-appropriated funds     |   | 0   |
|  | <b>4. TOTAL EMPLOYMENT [add lines B 1 through 3]</b>                 |   | <b>2727</b>   |

| EEOC FORM<br>715-01<br>PART A - D  | U.S. Equal Employment Opportunity Commission<br>FEDERAL AGENCY ANNUAL<br>EEO PROGRAM STATUS REPORT |   |
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| Department of Transportation/DOT Federal<br>Highway Administration                                   | For period covering October 1, 2016 to September 30, 2017  |   |
| <b>PART C<br/>Agency<br/>Official(s)<br/>Responsible<br/>For Oversight<br/>of EEO<br/>Program(s)</b> | 1. Agency Head   | FHWA, Acting Administrator Brandye Hendrickson  |
|  | 2. Agency Head Designee  | Executive Director, FHWA Walter Waidelich, Jr   |
|  | 3. EEO Director  | Associate Administrator for Civil Rights Irene Rico                                   |
|  | 4. Affirmative Employment Manager  | Division Manager, Administrative, Affirmative and Employment Programs Nikisha Pickett |
|  | 5. Complaint Processing Manager  | Division Manager Administrative, Affirmative, and Employment Programs Nikisha Pickett |
|  | 6. Other EEO Staff   |   |
|  | 7. MD-715 Preparer   | Disability Program Manager Kirsten Poston   |
|  | 8. Diversity and Inclusion Officer   | Human Resources Specialist and Diversity Program Manager Lafayette Melton             |
|  | 9. Disability Special Emphasis Program Manager   | Disability Program Manager Kirsten Poston   |
|  | 10. Hispanic Special Emphasis Program Manager  | Division Manager, Administrative, Affirmative and Employment Programs Nikisha Pickett |
|  | 11. Women's Special Emphasis Program Manager   | Special Programs Manager Nikisha Pickett  |
|  | 12. Anti-Harassment Program Manager  | Anti-Harassment Pilot Program Manager Pamela Woodruff                                 |
|  | 13. Reasonable Accommodation Program Manager   | Disability Program Manager Kirsten Poston   |

Department of Transportation/DOT Federal  
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| PART D<br>List of Subordinate Components Covered in This Report | Subordinate Component and Location<br>(City/State) | CPDF and FIPS codes |           |
|---|--|---------------------|-----------|
|   | Arizona Division Office, Phoenix/AZ                | TD04                | 040370013 |
|   | Arkansas Division Office, Little Rock/AR           | TD04                | 052320119 |
|   | California Division Office, Sacramento/CA          | TD04                | 063150067 |
|   | Colorado Division Office, Lakewood/CO              | TD04                | 081435059 |
|   | Hawaii Division Office, Honolou/HI                 | TD04                | 152400003 |
|   | Idaho Division Office, Boise/ID                    | TD04                | 160160001 |
|   | Illinois Division Office, Springfield/IL           | TD04                | 178220167 |
|   | Iowa Division Office, Ames/IA                      | TD04                | 190230169 |
|   | Louisiana Division Office, Baton                   | TD04                | 220150033 |
|   | Maine Division Office, Augusta/ME                  | TD04                | 230160011 |
|   | Maryland Division Office, Baltimore/MD             | TD04                | 240050510 |
|   | Massachusetts Division Office,                     | TD04                | 250170017 |
|   | Michigan Division Office, Lansing/MI               | TD04                | 262700037 |
|   | Minnesota Division Office, St. Paul/MN             | TD04                | 276330123 |
|   | Mississippi Division Office, Jackson/MS            | TD04                | 28122049  |
|   | Missouri Division Office, Jefferson City/MO        | TD04                | 294040027 |
|   | New Mexico Division Office, Santa Fe/NM            | TD04                | 350710049 |
|   | New York Division Office, Albany/NY                | TD04                | 360050001 |
|   | North Carolina Division Office, Raleigh/NC         | TD04                | 373750183 |
|   | North Dakota Division Office, Bismarck/ND          | TD04                | 380370015 |
|   | Ohio Division Office, Columbus/OH                  | TD04                | 391800049 |
|   | Oklahoma Division Office, Oklahoma                 | TD04                | 40355017  |
|   | Oregon Division Office, Salem/OR                   | TD04                | 411810047 |
|   | Pennsylvania Division Office,                      | TD04                | 423500043 |
|   | South Carolina Division Office,                    | TD04                | 450520063 |
|   | South Dakota Division Office, Pierre/SD            | TD04                | 462160065 |
|   | Tennessee Division Office, Nashville/TN            | TD04                | 471760037 |
|   | Texas Division Office, Austin/TX                   | TD04                | 480330453 |
|   | Utah Division Office, Salt Lake City/UT            | TD04                | 491700035 |

**Department of Transportation/DOT Federal Highway Administration**

**For period covering October 1, 2016 to September 30, 2017**

|   |      |           |
|---|------|-----------|
| Vermont Division Office, Montpelier /VT   | TD04 | 500380023 |
| Virginia Division Office, Richmond/VA     | TD04 | 51260760  |
| Washington Division Office, Olympia/WA    | TD04 | 531590067 |
| Wyoming Division Office, Cheyenne/WY      | TD04 | 560100021 |
| Resource Center- , Baltimore/MD           | TD04 | 240050510 |
| Alabama Division Office, Montgomery/AL    | TD04 | 012130101 |
| Alaska Division Office, Juneau/AK         | TD04 | 021130110 |
| Connecticut Division Office,              | TD04 | 090255003 |
| Delaware Division Office, Dover/DE        | TD04 | 100130001 |
| District of Columbia Division Office,     | TD04 | 110010001 |
| Florida Division Office, Tallahassee/FL   | TD04 | 122940073 |
| Georgia Division Office, Atlanta/GA       | TD04 | 122940073 |
| Indiana Division Office, Indianapolis/IN  | TD04 | 182210097 |
| Kansas Division Office, Topeka/KS         | TD04 | 205400177 |
| Kentucky Division Office, Frankfort/KY    | TD04 | 211220073 |
| Montana Division Office, Helena/MT        | TD04 | 300590049 |
| Nebraska Division Office, Lincoln/NE      | TD04 | 312830109 |
| Nevada Division Office, Carson City/NV    | TD04 | 320050510 |
| New Hampshire Division Office,            | TD04 | 330070013 |
| New Jersey Division Office, West          | TD04 | 343380021 |
| Puerto Rico Division Office , San Juan/PR | TD04 | 72-127    |
| Rhode Island Division Office,             | TD04 | 440190007 |
| West Virginia Division Office,            | TD04 | 540480039 |
| Wisconsin Division Office, Madison/WI     | TD04 | 552780025 |
|   |      |           |

**EXECUTIVE SUMMARY**

Executive Summary

Mission

The Federal Highway Administration (FHWA) is one of ten operating administrations of the U.S. Department of Transportation (DOT). The top-level official of the FHWA is the Administrator, who reports directly to the Secretary of the U.S. Department of Transportation. The FHWA has field offices in every State, the District of Columbia, and Puerto Rico.

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

Element A- Demonstrated Commitment from Agency Leadership

The Associate Administrator for Civil Rights reports to the agency Executive Director. On July 24, 2017, the FHWA Acting Deputy Administrator was installed. The EEO policy statement was issued on 11/7/2017. EEO Policies and procedures are on the agency's website at [www.fhwa.dot.gov/civilrights](http://www.fhwa.dot.gov/civilrights). The agency conducts bi-annual all employee surveys.

As a summary for the 2017, FHWA all employee survey(AES) resulted in the following improvements from the 2015 AES:

- Supervisors in my work unit support employee development
- Career development opportunities are adequate within FHWA
- Learning opportunities to develop individual leadership skills are sufficiently available.
- Career advancement opportunities are allocated fairly

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

EEO and Diversity principles are included in the Agency's Strategic Implementation Plan-The Performance Year 18/19 Strategic Implementation Plan addresses the element of Diversity and Inclusion in CC-2—Continues to be a strategic partner by ensuring diversity and inclusion is included in the Strategic Implementation Plan (SIP). Increasing the Agency's Initiatives includes encouraging all employees to participate in at least one activity that promotes diversity and inclusion on an annual basis.

Element C- Management and Program Accountability

The FHWA assigned an anti-harassment coordinator and implemented a pilot anti-harassment program in the later part of FY 17. Mandatory anti-harassment training was delivered both in person and via webinar from April to August 2017, to more than 90 % of FHWA employees. The agency is currently testing its interim/pilot anti-harassment program, and we will be evaluating this program in 2018, and thereafter we expect to develop a revised policy will include all of the EEOC's requested elements. Employees received training on EEO and Reasonable Accommodations via the Departmental Office of Civil Rights during the summer months of FY 17. The agency continues to work with the Departmental Disability Resource center to process and track reasonable accommodation requests. Under their annual performance standards, managers and supervisors are evaluated on their efforts regarding equal employment opportunity. FHWA also produces an annual FHWA At-A-Glance report at the end of every fiscal year, which summarizes workforce demographics and trends. The FHWA At-A-Glance report is presented to the entire agency through a virtual webinar. Also, the Office of Human Resources distributes Office Profiles and Vital Information reports to the organizational unit leads of the agency which provide office demographics, diversity data, retirement eligibility for unit employees, and disability statistics. This information is used in annual workforce planning conversations between unit leads and their respective servicing HR Specialists to encourage strategic workforce planning and recruitment. All FHWA unit leads are required to develop workforce plans at the unit level. To support managers in their requirement, the Office of Human Resources has developed the FHWA Unit Workforce Planning Guide and toolkit. This easy-to-use, how-to guide is designed to help the unit managers with developing workforce plans for their unit. It introduces workforce planning concepts and definitions, includes a step-by-step guide to help managers identify and understand workforce planning challenges, and provides examples of each step of the process. Furthermore, OPM's annual Employee Viewpoint Survey is disseminated to a sample of the FHWA workforce, which evaluates and collects employee opinions about their job, their supervisor, and their agency. This information helps the agency to identify potential triggers within its workforce.

Element D- Proactive Prevention of Unlawful Discrimination

The Office of Civil Rights, with the Office of Human Resources and the Office of Chief Counsel, collaborated to develop Civility and Prevention of Harassment training, a pilot Anti-Harassment coordination process, and an Anti-Harassment policy statement.

To further advance the implementation of diversity and inclusion in the Agency, FHWA continues its Diversity Champions initiative, which was established in 2016. This program provides a grassroots opportunity for employees, at all levels of FHWA, to identify and learn about diversity, inclusion, and engagement challenges in the workplace. The initiative relies on a peer-to-peer approach. During the first year after implementation, the champions led 40 activities designed to foster diversity and inclusion. In 2017, the agency selected and trained an additional 33 Diversity Champions for a total of 50 champions agency-wide. The Diversity Champions continue to develop and employ the best practices for employee outreach and interactions to support and deliver diversity and inclusion initiatives. Furthermore, the agency implemented a requirement that all employees

complete two Diversity and Inclusion trainings by May 2018, and created and implemented the new Diversity and Inclusion Award category under the FHWA Administrator's Awards.

Element E- Efficiency

FHWA timely submitted to the EEOC the Annual Federal EEO Statistical Report of Discrimination Complaints (EEOC Form 462) Also, FHWA timely submitted to Congress the Annual Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) report.

Element F- Responsiveness and Legal Compliance

FHWA has a goal of full compliance with all EEO statutes, regulations, policy guidance, and other written instructions. Agency personnel are held accountable for timely compliance with orders issued by the EEOC and the Departmental Office of Civil Rights has implemented procedures to ensure timely completion of ordered corrective actions and timely submission of compliance reports.

As of September 30, 2017, FHWA onboard strength showed a total of 2,727 employees, of whom 2,722 were permanent employees and 5 were temporary employees. During FY 2017, approximately 12.42 percent of all hires were PWD, and 1.86 percent were PWTD. The FHWA goal for hires of PWD is 10 percent, which means FHWA was above its goal. The FHWA goal for onboard PWTD was 1.8 percent, and FHWA exceeded the goal for FY 2017. Overall, PWTD comprise 2.2 percent of the FHWA workforce. (This number is inclusive of hires from other DOT modes, and not accounted for in the workforce tables). Veterans represented 17.1 percent of all hires and 9.7 percent of the total workforce in FY 2017. Veterans with 30% or more disability represent 7.73 percent of all hires and 2.7 percent of total workforce. The Agency experienced a hiring freeze from January 2017, and thus recruitment efforts were not as expected for FY17.

Part E.3 - Executive Summary: Workforce Analyses

The FHWA has made strides in increasing the overall diversity of its workforce between FY 2010 and FY 2017:

- (1) Hispanics in the FHWA permanent workforce have increased from 7.82 percent to 8.33 percent
- (2) Black or African Americans in the permanent workforce have increased from 15.38 percent to 15.59 percent; and
- (3) PWD increased from 8.98 percent to 9.48 percent of the FHWA permanent workforce.
- (4) PWTD increased from 1.5 percent to 2.34 percent of the FHWA permanent workforce.

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

Even with the increased diversity of its workforce, FHWA continues to seek ways to improve its overall diversity by reviewing exit survey data, utilizing feedback from its FHWA All Employee Survey, and analyzing data to determine the composition of its workforce.

FHWA has identified that there is a deficiency in recruitment of Hispanic females in the workforce in comparison with the Civilian Labor workforce. Plans have been identified according to the FY 2017 FEORP Hispanic Employment Report to address these deficiencies and are included in our Parts H and I of this report.

The Federal Employee Viewpoint Survey Indices of the Hispanic/Latino Federal workforce are as follows:

| Federal Employee Viewpoint Survey Indices | FHWA Hispanic/Latino Federal Employee Viewpoint Survey |
|---|--|
| Index Score                               |  |
| Global Satisfaction Index                 | 74%  |
| Employee Engagement Index                 | 76%  |
| Diversity and Inclusion                   | 70%  |

Males

FHWA FY 2017=63.33% (1727) an increase in percentage and decrease in total number from FY 2016 =63.17% (1758)  
 FY 2010 CLF = 51.84%

Females

FHWA FY 2017=36.67% (1000) a decrease in percentage and total number from FY 2016 36.83%(1025)  
 FY 2010 CLF =48.16%

FHWA Complaint Trends

Over the past three years from FY 15-FY 17, the number of EEO complaints filed increased from FY 15 (13), to FY 16 (17) and decreased for FY 17 (15). In FY 17, the top five bases of complaints were Disability, Reprisal, Race, Sex and Age. The top issues were Reasonable Accommodation, Harassment (Non-Sexual), Evaluation/Appraisal, and Disciplinary Actions. There were too many issues to list tied for number five. In FY 17, the Office of Civil Rights provided training on the EEO Counseling Process to managers and employees in April. Additionally, training in the area of Civility and Prevention of Workplace Harassment was conducted in FY17.

FY 2017 Top Five Bases

- Disability -5 (4-physical, 1-mental)
  - Reprisal-4
  - Race-4 (3-Black, 1 White)
  - Sex-2 (1 Male, 1-Female)
  - Age -2
- FY 2017 Top Issues
- Reasonable Accommodation- 3

Harassment (Non-Sexual) - 3  
 Evaluation/Appraisal - 2  
 Disciplinary Action -2 (1 Suspension, 1- PIP)  
 FY 2016

Top Five Bases  
 Sex- 8 (5 females, 3 male)  
 Age-7  
 Race-3  
 Disability-3

Reprisal -2  
 Top Five Issues  
 Harassment (Non-Sexual)-8  
 Promotion/Non-Selection -4  
 Performance Appraisal/Evaluation-2  
 Training-2  
 Other -2

FY 2015 Top Five Bases  
 Reprisal-7

Race- 6 (4 Black, 2 Asian)  
 Sex-4 (3 Female, 1, Male)

Age- 3  
 Color- 3

FY 2015 Top Five Issues  
 Harassment (Non-Sexual) 8  
 Performance Appraisal/Evaluation-5  
 Promotion/Non-Selection-4  
 Disciplinary Action -3  
 Assignment of Duties, Training-2

Executive Summary: Accomplishments

The FHWA makes equal opportunity principles a fundamental part of its culture. Some of FHWA's FY 2017 accomplishments under the six essential elements (demonstrated commitment to equal employment opportunity, integration of EEO into DOT's strategic mission, management and program accountability, proactive prevention of unlawful discrimination, efficiency and responsiveness, and legal compliance) were:

- For the 2017 OPM's Federal Employee Viewpoint Survey, (FEVPS), FHWA was ranked #33 out of #339 agency subcomponents in "Best Places to Work in the Federal Government", published by the Partnership for Public Service. The index score for diversity and inclusion (New IQ index) for FHWA was 73 percent, which remained the same when compared to the 2016 IQ index.
- No findings of discrimination by the Equal Employment Opportunity Commission, the Merit Systems Protection Board, or the District Court were issued in FY 2017.
- In FY 2017, FHWA increased the hiring of people with disabilities and people with targeted disabilities. Our Agency has established intermediate goals for 2017 at 1.8% and 2018 at 2.0%. We hired a record 3.31% of people with targeted disabilities in 2017, which improved our onboard percentage from 1.5% to 2.2%. For a second year, we surpassed our 2017 goal of 10% of hires being people with disabilities (targeted and non-targeted) by achieving 13.8%.
- In FY 2017, the Diversity Management Committee selected and trained 33 new Diversity Champions for a total of 50 champions from 46 different offices across the organization. Given the expansion of the DMC and the addition of new Champions, the DMC has revamped and improved its communications. A Communications Subcommittee was established in FY 2017 to lead efforts that included the development of newsletters, an all employee SharePoint site, and various leadership and Discipline presentations. In addition, among the most significant accomplishments this fiscal year, the DMC spearheaded the establishment of a new FHWA Diversity and Inclusion Award for the 2017 Administrator's Awards program.
- The FHWA Performance Year 18/19 Strategic Implementation Plan Addresses the element of Diversity and Inclusion in Strategic Item CC-2—FHWA continues to be a strategic partner by ensuring diversity and inclusion is incorporated in the Strategic Implementation Plan (SIP). Increasing the Agency's Initiatives include encouraging all employees to participate in at least one activity that promotes diversity and inclusion on an annual basis.
- FHWA's advisory group called the Innovation Exchange Council (iExchange) was chartered and opened for membership in FY 2016. The group continues to raise awareness of generational diversity and create an environment that embraces members of different generations. In FY 2017, they expanded membership to 115 members, held several crowdsourcing (brainstorm) events, virtual speed networking events, contributed to the design and launch of an Innovation Lab in partnership with Turner Fairbanks Highway Research Center and the Office of Personnel Management, and continued to provide feedback to the Human Resource Management Council (HRMC) on various activities.
- The FHWA supports and runs a formal, competitively announced, 6-month mentoring program to provide for the development of a diverse workforce and for the strengthening of skills of current and aspiring leaders. Thirty-eight mentors and 38 mentees from across the organization participated in the program in FY 2017.

- FHWA established its first Anti-Harassment Coordination process. This is a pilot program that involves a complaint process for allegations of any type of harassment in or relating to the FHWA workplace. We have developed a memorandum of the Pilot Anti-Harassment Coordination Process along with an approved Anti-Harassment Policy Statement. The designated Coordinator for FHWA is Program Analyst, Pamela Woodruff with oversight by Irene Rico, Associate Administrator for Civil Rights.

- Additionally, FHWA Office of Civil Rights conducted annual harassment training in FY17. This mandatory training will continue to be updated in emphasis and conducted every year via a series of webinars and in person sessions. Prevention is the best tool to eliminate harassment in the workplace. Therefore, FHWA's training focuses on prevention and employee involvement in creating a civil and inclusive culture within the workplace.

The trainings took place on the following dates:

- In person session HQ-June 1st
- Webinar June 14th
- In person session Connecticut Division Office-June 28th
- Webinar-July
- In person session Central Federal Lands July 17th
- Webinar July 12th
- Webinar-July 26th
- In person session- NY Division August 8th

Out of the 2735 employees at FHWA, 2485 completed the training.

Ecevutive 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:

- Continue to increase the representation of Hispanic females, white females, Native Hawaiian or other Pacific Island females, American Indian or Alaska native males and females at the GS-13 through 15 grade levels by enhancing recruitment activities and continue to foster an inclusive environment.

- Continue to increase the Hiring of PWTD. Target goal for FY 18 is 2.0% at both higher and lower salary levels. The 2% goals are "sub-goals" of the 12% goals.

- Continue to enhance the skills and capabilities of FHWA supervisors and team leaders by ensuring leaders complete mandatory leadership training within one year of assuming their supervisory position. Provide continuous agency leadership training throughout their tenure.

- Continue to implement the Hispanic Recruitment Plan to attract, recruit, develop and retain Hispanic representation.

- Continue to conduct Barrier analysis and various trend analyses on workforce profile data, major occupations, grade distribution, the workforce compensation reward system, and management/personnel policies, practices and procedures.

- Continue to enhance our partnership with the DOT Disability Resource Center (DRC) to obtain information on FHWA's reasonable accommodation cases and ensure information is entered and tracked the DOT Reasonable Accommodation Management System (RAMS).

- Continue to train managers/supervisors on the Reasonable Accommodations process

- Continue to train FHWA workforce on the EEO process.

- Continue to include agency recruitment, advancement and retention efforts for PWTD.

- Continue to ensure EEO counseling processes are within required timeframes.

- Continue conducting Anti-Harassment training for supervisors, managers and all staff.

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| <b>EEOC FORM<br/>715-01<br/>PART F</b>                                     | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |
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**CERTIFICATION of ESTABLISHMENT of CONTINUING  
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**

I, Associate Administrator for Civil Rights Irene Rico 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.

Signature of Agency Head or Agency Head Designee

Date

Signature of Principal EEO Director/Official

Date

Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.

| EEOC FORM<br>715-01<br>PART G   |  | U.S. Equal Employment Opportunity Commission<br>FEDERAL AGENCY ANNUAL<br>EEO PROGRAM STATUS REPORT |    |     |  |
|---|--|--|----|-----|--|
| Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP<br>Requires the agency head to issue written policy statements ensuring a workplace free of discriminatory harassment and a commitment to equal employment opportunity. |  |  |    |     |  |
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| Compliance Indicator  | EEO policy statements are up-to-date.                          | 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 |  |
| The Agency Head was installed on <u>07/24/2017</u> . The EEO policy statement was issued on <u>11/07/2017</u> . Was the EEO policy statement issued within 6-9 of the installation of the Agency Head?                                      |  | X  |    |     |  |
| During the current Agency Head's tenure, has the EEO policy Statement been re-issued annually?<br>If no, provide an explanation.  |  | X  |    |     |  |
| Are new employees provided a copy of the EEO policy statement during orientation?   |  | X  |    |     |  |
| When an employee is promoted into the supervisory ranks, is s/he provided a copy of the EEO policy statement?   |  | X  |    |     |  |
| Compliance Indicator  | EEO policy statements have been communicated to all employees. | 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 |  |
| Have the heads of subordinate reporting components communicated support of all agency EEO policies through the ranks?   |  | X  |    |     |  |
| Has the agency made written materials available to all employees and applicants, informing them of the variety of EEO programs and administrative and judicial remedial procedures available to them?                                       |  | X  |    |     |  |
| Has the agency prominently posted such written materials in all personnel offices, EEO offices, and on the agency's internal website? [see 29 CFR §1614.102(b)(5)]  |  | X  |    |     |  |

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| Compliance Indicator  | Agency EEO policy is vigorously enforced by agency management. | 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 |  |
| Are managers and supervisors evaluated on their commitment to agency EEO policies and principles, including their efforts to:   |  | X   |    |     |  |
| resolve problems/disagreements and other conflicts in their respective work environments as they arise?   |  | X   |    |     |  |
| address concerns, whether perceived or real, raised by employees and following-up with appropriate action to correct or eliminate tension in the workplace?   |  | X   |    |     |  |
| support the agency's EEO program through allocation of mission personnel to participate in community out-reach and recruitment programs with private employers, public schools and universities?  |  | X   |    |     |  |
| ensure full cooperation of employees under his/her supervision with EEO office officials such as EEO Counselors, EEO Investigators, etc.?   |  | X   |    |     |  |
| ensure a workplace that is free from all forms of discrimination, harassment and retaliation?   |  | X   |    |     |  |
| ensure that subordinate supervisors have effective managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications ? |  | X   |    |     |  |
| ensure the provision of requested religious accommodations when such accommodations do not cause an undue hardship?   |  | X   |    |     |  |
| ensure the provision of requested disability accommodations to qualified individuals with disabilities when such accommodations do not cause an undue hardship?   |  | X   |    |     |  |

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| <p>Have all employees been informed about what behaviors are inappropriate in the workplace and that this behavior may result in disciplinary actions? Describe what means were utilized by the agency to so inform its workforce about the penalties for unacceptable behavior.</p>              | X   |  |  | <p>The FHWA Employee Handbook and Table of Offenses and Penalties inform employees of conduct that is inappropriate. The Handbook and Table are posted on FHWA Staffnet page at the following links: <a href="http://staffnet.fhwa.dot.gov/opt/regulations/handbook/HANDBOOK.HTM">http://staffnet.fhwa.dot.gov/opt/regulations/handbook/HANDBOOK.HTM</a> and <a href="http://staffnet.fhwa.dot.gov/hr/regulations/handbook/appendix_a.htm">http://staffnet.fhwa.dot.gov/hr/regulations/handbook/appendix_a.htm</a>. Nondiscrimination policies are also posted in the Breakrooms. In FY 2017, FHWA conducted mandatory anti-harassment and civility training via webinar for all employees.</p> |
| <p>Have the procedures for reasonable accommodation for individuals with disabilities been made readily available/accessible to all employees by disseminating such procedures during orientation of new employees and by making such procedures available on the World Wide Web or Internet?</p> | X   |  |  |   |
| <p>Have managers and supervisor been trained on their responsibilities under the procedures for reasonable accommodation?</p>   | X   |  |  |   |

| <b>Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION</b><br>Requires that the agency's EEO programs be organized and structured to maintain a workplace that is free from discrimination in any of the agency's policies, procedures or practices and supports the agency's strategic mission.  |  |   |    |     |   |
|---|--|---|----|-----|---|
| Department of Transportation/DOT Federal Highway Administration   |  | For period covering October 1, 2016 to September 30, 2017 |    |     |   |
| <b>Compliance Indicator</b><br><br><b>Measures</b>  | <b>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>   | <b>Measure has been met</b>                               |    |     | <b>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>   |
|   |  | Yes   | No | N/A |   |
| Is the EEO Director under the direct supervision of the agency head? [see 29 CFR §1614.102(b)(4)] For subordinate level reporting components, is the EEO Director/Officer under the immediate supervision of the lower level component's head official? (For example, does the Regional EEO Officer report to the Regional Administrator?)  |  |   | X  |     | The Associate Administrator for Civil Rights reports to the Executive Director who is responsible for the day to day operations, oversees employee matters, and is the highest level career employee in FHWA. |
| Are the duties and responsibilities of EEO officials clearly defined?   |  | X   |    |     |   |
| Do the EEO officials have the knowledge, skills, and abilities to carry out the duties and responsibilities of their positions?   |  | X   |    |     |   |
| If the agency has 2nd level reporting components, are there organizational charts that clearly define the reporting structure for EEO programs?   |  | X   |    |     |   |
| If the agency has 2nd level reporting components, does the agency-wide EEO Director have authority for the EEO programs within the subordinate reporting  |  | X   |    |     |   |
| If not, please describe how EEO program authority is delegated to subordinate reporting components.   |  | X   |    |     |   |
| <b>Compliance Indicator</b><br><br><b>Measures</b>  | <b>The EEO Director and other EEO professional staff responsible for EEO programs have regular and effective means of informing the agency head and senior management officials of the status of EEO programs and are involved in, and consulted on, management/personnel actions.</b> | <b>Measure has been met</b>                               |    |     | <b>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>   |
|   |  | Yes   | No | N/A |   |
| Does the EEO Director/Officer have a regular and effective means of informing the agency head and other top management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program?   |  | X   |    |     |   |
| Following the submission of the immediately preceding FORM 715-01, did the EEO Director/Officer present to the head of the agency and other senior officials the "State of the Agency" briefing covering all components of the EEO report, including an assessment of the performance of the agency in each of the six elements of the Model EEO Program and a report on the progress of the agency in completing its barrier analysis including any barriers it identified and/or eliminated or reduced the impact of? |  | X   |    |     |   |

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| <b>Department of Transportation/DOT Federal Highway Administration</b> | <b>For period covering October 1, 2016 to September 30, 2017</b> |
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| Are EEO program officials present during agency deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections | X |  |  |  |
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| Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions such as reorganizations and re-alignments? | X |  |  |  |
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| Are management/personnel policies, procedures and practices examined at regular intervals to assess whether there are hidden impediments to the realization of equality of opportunity for any group(s) of employees or applicants? [see 29 C.F.R. § 1614.102(b)(3)] | X |  |  |  |
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| Is the EEO Director included in the agency's strategic planning, especially the agency's human capital plan, regarding succession planning, training, etc., to ensure | X |  |  |  |
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| <b>Compliance Indicator</b> | <b>The agency has committed sufficient human resources and budget allocations to its EEO programs to ensure successful operation.</b> | <b>Measure has been met</b> |    |     | <b>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> |
| <b>Measures</b>             |   | Yes                         | No | N/A |   |

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| Does the EEO Director have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity? | X |  |  |  |
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| Are sufficient personnel resources allocated to the EEO Program to ensure that agency self-assessments and self-analyses prescribed by EEO MD-715 are conducted annually and to maintain an effective complaint processing system? | X |  |  |  |
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| Are statutory/regulatory EEO related Special Emphasis Programs sufficiently | X |  |  |  |
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| Federal Women's Program - 5 U.S.C. 7201; 38 U.S.C. 4214; Title 5 CFR, Subpart B, 720.204 | X |  |  |  |
|--|---|--|--|--|

|   |   |  |  |  |
|---|---|--|--|--|
| Hispanic Employment Program - Title 5 CFR, Subpart B, 720.204 | X |  |  |  |
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| People With Disabilities Program Manager; Selective Placement Program for Individuals With Disabilities - Section 501 of the Rehabilitation Act; Title 5 U.S.C. Subpart B, Chapter 31, Subchapter I-3102; 5 CFR 213.3102(t) and (u); 5 CFR 315.709 | X |  |  |  |
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| Are other agency special emphasis programs monitored by the EEO Office for coordination and compliance with EEO guidelines and principles, such as FEORP - 5 CFR 720; Veterans Employment Programs; and Black/African American; American Indian/Alaska Native, Asian American/Pacific Islander programs? | X |  |  |  |
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|                             |   |                             |    |     |   |
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| <b>Compliance Indicator</b> | <b>The agency has committed sufficient budget to support the success of its EEO Programs.</b> | <b>Measure has been met</b> |    |     | <b>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> |
| <b>Measures</b>             |   | Yes                         | No | N/A |   |

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|---|---|--|--|--|
| Are there sufficient resources to enable the agency to conduct a thorough barrier analysis of its workforce, including the provision of adequate data collection and tracking systems   | X   |  |  |  |
| Is there sufficient budget allocated to all employees to utilize, when desired, all EEO programs, including the complaint processing program and ADR, and to make a request for reasonable accommodation? (Including subordinate level reporting components?) | X   |  |  |  |
| Has funding been secured for publication and distribution of EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures, etc.)?   | X   |  |  |  |
| Is there a central fund or other mechanism for funding supplies, equipment and services necessary to provide disability accommodations?   | X   |  |  |  |
| Does the agency fund major renovation projects to ensure timely compliance with Uniform Federal Accessibility Standards?  | X   |  |  |  |
| Is the EEO Program allocated sufficient resources to train all employees on EEO Programs, including administrative and judicial remedial procedures available to employees?   | X   |  |  |  |
| Is there sufficient funding to ensure the prominent posting of written materials in all personnel and EEO offices? [see 29 C.F.R. § 1614.102(b)(5)]   | X   |  |  |  |
| Is there sufficient funding to ensure that all employees have access to this training and information?  | X   |  |  |  |
| Is there sufficient funding to provide all managers and supervisors with training and periodic up-dates on their EEO responsibilities:  |   |  |  |  |
| for ensuring a workplace that is free from all forms of discrimination, including harassment and retaliation?   | X   |  |  |  |
| to provide religious accommodations?  | X   |  |  |  |
| to provide disability accommodations in accordance with the agency's written procedures?  | X   |  |  |  |
| in the EEO discrimination complaint process?  | X   |  |  |  |
| to participate in ADR?  | X   |  |  |  |

| <b>Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY</b><br>This element requires the Agency Head to hold all managers, supervisors, and EEO Officials responsible for the effective implementation of the agency's EEO Program and Plan. |   |   |    |     |  |
|--|---|---|----|-----|--|
| Department of Transportation/DOT Federal Highway Administration  |   | For period covering October 1, 2016 to September 30, 2017 |    |     |  |
| Compliance Indicator   | <b>EEO program officials advise and provide appropriate assistance to managers/supervisors about the status of EEO programs within each manager's or supervisor's area or responsibility.</b>   | 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 |  |
| Are regular (monthly/quarterly/semi-annually) EEO updates provided to management/supervisory officials by EEO program officials?   |   | X   |    |     |  |
| Do EEO program officials coordinate the development and implementation of EEO Plans with all appropriate agency managers to include Agency Counsel, Human Resource Officials, Finance, and the Chief information Officer?                          |   | X   |    |     |  |
| Compliance Indicator   | <b>The Human Resources Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC management directives. [see 29 CFR § 1614.102(b)(3)]</b> | 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 |  |
| Have time-tables or schedules been established for the agency to review its Merit Promotion Program Policy and Procedures for systemic barriers that may be impeding full participation in promotion opportunities by all groups?                  |   | X   |    |     |  |
| Have time-tables or schedules been established for the agency to review its Employee Recognition Awards Program and Procedures for systemic barriers that may be impeding full participation in the program by all groups?                         |   | X   |    |     |  |
| Have time-tables or schedules been established for the agency to review its Employee Development/Training Programs for systemic barriers that may be impeding full participation in training opportunities by all groups?                          |   | X   |    |     |  |
| Compliance Indicator   | <b>When findings of discrimination are made, the agency explores whether or not disciplinary actions should be taken.</b>   | 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 |  |
| Does the agency have a disciplinary policy and/or a table of penalties that covers employees found to have committed discrimination?   |   | X   |    |     |  |

| Department of Transportation/DOT Federal Highway Administration  | For period covering October 1, 2016 to September 30, 2017 |  |   |  |
|--|---|--|---|--|
| Have all employees, supervisors, and managers been informed as to the penalties for being found to perpetrate discriminatory behavior or for taking personnel actions based upon a prohibited basis? | X   |  |   |  |
| Has the agency, when appropriate, disciplined or sanctioned managers/supervisors or employees found to have discriminated over the past two years?   |   |  | X | There were no findings of discrimination in FY 2016 or FY 2017 |
| If so, cite number found to have discriminated and list penalty /disciplinary action   |   |  |   |  |
| Does the agency promptly (within the established time frame) comply with EEOC, Merit Systems Protection Board, Federal Labor Relations Authority, labor arbitrators, and District Court orders?      | X   |  |   |  |
| Does the agency review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.??                  | X   |  |   |  |

| <b>Essential Element D: PROACTIVE PREVENTION</b><br>Requires that the agency head makes early efforts to prevent discriminatory actions and eliminate barriers to equal employment opportunity in the workplace. |   |   |    |     |  |
|--|---|---|----|-----|--|
| Department of Transportation/DOT Federal Highway Administration  |   | For period covering October 1, 2016 to September 30, 2017 |    |     |  |
| Compliance Indicator   | Analyses to identify and remove unnecessary barriers to employment are conducted throughout the year. | 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 |  |
| Do senior managers meet with and assist the EEO Director and/or other EEO Program Officials in the identification of barriers that may be impeding the realization of equal employment opportunity?              |   | X   |    |     |  |
| When barriers are identified, do senior managers develop and implement, with the assistance of the agency EEO office, agency EEO Action Plans to eliminate said barriers?  |   | X   |    |     |  |
| Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans?   |   | X   |    |     |  |
| Are trend analyses of workforce profiles conducted by race, national origin, sex and disability?   |   | X   |    |     |  |
| Are trend analyses of the workforce's major occupations conducted by race, national origin, sex and disability?  |   | X   |    |     |  |
| Are trends analyses of the workforce's grade level distribution conducted by race, national origin, sex and disability?  |   | X   |    |     |  |
| Are trend analyses of the workforce's compensation and reward system conducted by race, national origin, sex and disability?   |   | X   |    |     |  |
| Are trend analyses of the effects of management/personnel policies, procedures and practices conducted by race, national origin, sex and disability?   |   | X   |    |     |  |
| Compliance Indicator   | The use of Alternative Dispute Resolution (ADR) is encouraged by senior management.                   | 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 |  |
| Are all employees encouraged to use ADR?   |   | X   |    |     |  |
| Is the participation of supervisors and managers in the ADR process required?  |   | X   |    |     |  |

| <b>Essential Element E: EFFICIENCY</b><br><b>Requires that the agency head ensure that there are effective systems in place for evaluating the impact and effectiveness of the agency's EEO Programs as well as an efficient and fair dispute resolution process.</b> |  |  |           |            |   |
|---|--|--|-----------|------------|---|
| <b>Department of Transportation/DOT Federal Highway Administration</b>  |  | <b>For period covering October 1, 2016 to September 30, 2017</b> |           |            |   |
| <b>Compliance Indicator</b>   |  | <b>Measure has been met</b>                                      |           |            | <b>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> |
| <b>Measures</b>   | <b>The agency has sufficient staffing, funding, and authority to achieve the elimination of identified barriers.</b>   | <b>Yes</b>   | <b>No</b> | <b>N/A</b> |   |
|   | Does the EEO Office employ personnel with adequate training and experience to conduct the analyses required by MD-715 and these instructions?  | X  |           |            |   |
|   | Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715 and these instructions?   | X  |           |            |   |
|   | Have sufficient resources been provided to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination under Title VII and the Rehabilitation Act?                     | X  |           |            |   |
|   | Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations in all major components of the agency?                                      | X  |           |            |   |
|   | Are 90% of accommodation requests processed within the time frame set forth in the agency procedures for reasonable accommodation?   | X  |           |            |   |
| <b>Compliance Indicator</b>   |  | <b>Measure has been met</b>                                      |           |            | <b>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> |
| <b>Measures</b>   | <b>The agency has an effective complaint tracking and monitoring system in place to increase the effectiveness of the agency's EEO Programs.</b>   | <b>Yes</b>   | <b>No</b> | <b>N/A</b> |   |
|   | Does the agency use a complaint tracking and monitoring system that allows identification of the location, and status of complaints and length of time elapsed at each stage of the agency's complaint resolution process?   | X  |           |            |   |
|   | Does the agency's tracking system identify the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends? | X  |           |            |   |
|   | Does the agency hold contractors accountable for delay in counseling and investigation processing times?   |  |           | X          | The Departmental Office of Civil Rights processes contract investigations. FHWA has no contract EEO counselors.   |
| If yes, briefly describe how:   |  |  |           |            |   |

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|  | X |  |  |  |
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**Compliance Indicator**

**Measure has been met**

|                 |            |           |            |  |
|-----------------|------------|-----------|------------|--|
| <b>Measures</b> | <b>Yes</b> | <b>No</b> | <b>N/A</b> |  |
|-----------------|------------|-----------|------------|--|

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| Are benchmarks in place that compare the agency's discrimination complaint processes with 29 C.F.R. Part 1614? | X |  |  |  |
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|  | X |  |  |  |
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|  | X |  |  |  |
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| Does the agency complete the investigations within the applicable prescribed time frame? |  |  | X |  |
|--|--|--|---|--|

| Department of Transportation/DOT Federal Highway Administration   |  | For period covering October 1, 2016 to September 30, 2017 |           |            |   |  |
|---|--|---|-----------|------------|---|--|
| When a complainant requests a final agency decision, does the agency issue the decision within 60 days of the request?  |  |   |           | X          |   | FHWA does not manage the formal EEO complaint process. The Departmental Office of Civil Rights issues the final agency decision.   |
| When a complainant requests a hearing, does the agency immediately upon receipt of the request from the EEOC AJ forward the investigative file to the EEOC Hearing Office?  |  |   |           | X          |   | FHWA does not manage the formal EEO complaint process. The Departmental Office of Civil Rights issues the final agency decision.   |
| When a settlement agreement is entered into, does the agency timely complete any obligations provided for in such agreements?   |  | X   |           |            |   |  |
| Does the agency ensure timely compliance with EEOC AJ decisions which are not the subject of an appeal by the agency?   |  | X   |           |            |   |  |
| <b>Compliance Indicator</b>   | <b>There is an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of the agency's EEO complaint processing program.</b> | <b>Measure has been met</b>                               |           |            | <b>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> |  |
| <b>Measures</b>   |  | <b>Yes</b>  | <b>No</b> | <b>N/A</b> |   |  |
| In accordance with 29 C.F.R. §1614.102(b), has the agency established an ADR Program during the pre-complaint and formal complaint stages of the EEO process?   |  | X   |           |            |   | The Departmental Office of Civil Rights Manages this ADR program.  |
| Does the agency require all managers and supervisors to receive ADR training in accordance with EEOC (29 C.F.R. Part 1614) regulations, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? |  |   | X         |            |   | Managers and Supervisors are briefed on ADR, when applicable on a case by case basis.  |
| After the agency has offered ADR and the complainant has elected to participate in ADR, are the managers required to participate?   |  | X   |           |            |   |  |
| Does the agency ensure that the responsible management official directly involved in the dispute does not have settlement authority?  |  |   | X         |            |   | The responsible management official directly involved in the dispute does not have settlement authority. A separate settlement official is appointed and has settlement authority. |
| <b>Compliance Indicator</b>   |  | <b>Measure has been met</b>                               |           |            |   |  |

| Department of Transportation/DOT Federal Highway Administration   |   |                      |    |     |  | For period covering October 1, 2016 to September 30, 2017 |  |  |
|---|---|----------------------|----|-----|--|---|--|--|
| Measures  | The agency has effective systems in place for maintaining and evaluating the impact and effectiveness of its EEO programs.  | 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 |  |   |  |  |
| Does the agency have a system of management controls in place to ensure the timely, accurate, complete and consistent reporting of EEO complaint data to the  |   | X                    |    |     |  |   |  |  |
| Does the agency provide reasonable resources for the EEO complaint process to ensure efficient and successful operation in accordance with 29 C.F.R. § 1614.102   |   | X                    |    |     |  |   |  |  |
| Does the agency EEO office have management controls in place to monitor and ensure that the data received from Human Resources is accurate, timely received, and contains all the required data elements for submitting annual reports to the EEOC? |   | X                    |    |     |  |   |  |  |
| Do the agency's EEO programs address all of the laws enforced by the EEOC?  |   | X                    |    |     |  |   |  |  |
| Does the agency identify and monitor significant trends in complaint processing to determine whether the agency is meeting its obligations under Title VII and the Rehabilitation Act?  |   | X                    |    |     |  |   |  |  |
| Does the agency track recruitment efforts and analyze efforts to identify potential barriers in accordance with MD-715 standards?   |   | X                    |    |     |  |   |  |  |
| Does the agency consult with other agencies of similar size on the effectiveness of their EEO programs to identify best practices and share ideas?  |   | X                    |    |     |  |   |  |  |
| Compliance Indicator  | The agency ensures that the investigation and adjudication function of its complaint resolution process are separate from its legal defense arm of agency or other offices with conflicting or competing interests. | 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 |  |   |  |  |
| Are legal sufficiency reviews of EEO matters handled by a functional unit that is separate and apart from the unit which handles agency representation in EEO   |   |                      |    | X   | Legal sufficiency reviews are handled at the Departmental level.   |   |  |  |
| Does the agency discrimination complaint process ensure a neutral adjudication function?  |   |                      |    | X   | This is addressed at the Departmental level.   |   |  |  |
| If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints?  |   |                      |    | X   | This is addressed at the Departmental level.   |   |  |  |

| <b>Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE</b><br>This element requires that federal agencies are in full compliance with EEO statutes and EEOC regulations, policy guidance, and other written instructions. |  |   |    |     |  |
|--|--|---|----|-----|--|
| Department of Transportation/DOT Federal Highway Administration  |  | For period covering October 1, 2016 to September 30, 2017 |    |     |  |
| <b>Compliance Indicator</b>  |  | 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 |
| <b>Measures</b>  | Agency personnel are accountable for timely compliance with orders issued by EEOC Administrative Judges.   | Yes   | No | N/A |  |
|  | Does the agency have a system of management control to ensure that agency officials timely comply with any orders or directives issued by EEOC Administrative                                  | X   |    |     |  |
| <b>Compliance Indicator</b>  |  | 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 |
| <b>Measures</b>  | The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion. | Yes   | No | N/A |  |
|  | Does the agency have control over the payroll processing function of the agency? If Yes, answer the two questions below.   | X   |    |     |  |
|  | Are there steps in place to guarantee responsive, timely, and predictable processing of ordered monetary relief?   | X   |    |     |  |
|  | Are procedures in place to promptly process other forms of ordered relief?   | X   |    |     |  |
| <b>Compliance Indicator</b>  |  | 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 |
| <b>Measures</b>  | The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion. | Yes   | No | N/A |  |
|  | Is compliance with EEOC orders encompassed in the performance standards of any agency employees?   | X   |    |     |  |

| Department of Transportation/DOT Federal Highway Administration  | For period covering October 1, 2016 to September 30, 2017  |  |  |  |
|--|--|--|--|--|
| <p>If so, please identify the employees by title in the comments section, and state how performance is measured.</p>   | <p>Compliance with certain types of EEOC orders (e.g., acceptance of cases, investigations, FADs) occurs at the Departmental level so is not the subject of FHWA performance standards. All managers, supervisors, and team leaders within FHWA have a performance element that includes a requirement to "take[s] timely corrective actions to ensure a workplace that is free from all forms of discrimination, harassment, and retaliation". Many FHWA attorneys who litigate employment law cases also have a requirement in their performance standards that they "assist in the implementation of court orders, decisions, and settlement agreements in a timely manner that allows for completion of the requirements of those documents on or before the deadlines established therein."</p> |  |  |  |
| <p>Is the unit charged with the responsibility for compliance with EEOC orders located in the EEO office?</p>  | X  |  |  | <p>The Departmental EEO office is responsible for compliance with orders regarding issues such as acceptance of cases, FADs, and investigations. Other compliance (such as making payments) may reside in other offices depending on the content of the order. FHWA counsel's office informs these offices of the compliance requirements and tracks compliance.</p> |
| <p>If not, please identify the unit in which it is located, the number of employees in the unit, and their grade levels in the comments section.</p>   | See responses to F.3.b.  |  |  |  |
| <p>Have the involved employees received any formal training in EEO compliance?</p>   | X  |  |  |  |
| <p>Does the agency promptly provide to the EEOC the following documentation for completing compliance:</p>   |  |  |  |  |
| <p>Attorney Fees: Copy of check issued for attorney fees and /or a narrative statement by an appropriate agency official, or agency payment order dating the dollar amount of attorney fees paid?</p>                | X  |  |  |  |
| <p>Awards: A narrative statement by an appropriate agency official stating the dollar amount and the criteria used to calculate the award?</p>   | X  |  |  |  |
| <p>Back Pay and Interest: Computer print-outs or payroll documents outlining gross back pay and interest, copy of any checks issued, narrative statement by an appropriate agency official of total monies paid?</p> | X  |  |  |  |

| Department of Transportation/DOT Federal Highway Administration  | For period covering October 1, 2016 to September 30, 2017 |   |  |   |
|--|---|---|--|---|
| Compensatory Damages: The final agency decision and evidence of payment, if made?  | X   |   |  |   |
| Training: Attendance roster at training session(s) or a narrative statement by an appropriate agency official confirming that specific persons or groups of persons attended training on a date certain?   | X   |   |  |   |
| Personnel Actions (e.g., Reinstatement, Promotion, Hiring, Reassignment): Copies of SF-50s   | X   |   |  |   |
| Posting of Notice of Violation: Original signed and dated notice reflecting the dates that the notice was posted. A copy of the notice will suffice if the original is not available.  | X   |   |  |   |
| Supplemental Investigation: 1. Copy of letter to complainant acknowledging receipt from EEOC of remanded case. 2. Copy of letter to complainant transmitting the Report of Investigation (not the ROI itself unless specified). 3. Copy of request for a hearing (complainant's request or agency's transmittal letter). |   | X |  | This is handled at the Departmental level.  |
| Final Agency Decision (FAD): FAD or copy of the complainant's request for a hearing.   |   | X |  | This is handled at the Departmental level.. |
| Restoration of Leave: Print-out or statement identifying the amount of leave restored, if applicable. If not, an explanation or statement.   | X   |   |  |   |
| Civil Actions: A complete copy of the civil action complaint demonstrating same issues raised as in compliance matter.   | X   |   |  |   |
| Settlement Agreements: Signed and dated agreement with specific dollar amounts, if applicable. Also, appropriate documentation of relief is provided.  | X   |   |  |   |

Footnotes:

1. See 29 C.F.R. § 1614.102.

2. When an agency makes modifications to its procedures, the procedures must be resubmitted to the Commission. See EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation (10/20/00), Question 28

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| <b>EEOC FORM<br/>715-01<br/>PART H-1</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>   |  |
| <b>Department of Transportation/DOT Federal<br/>Highway Administration</b>  |   | <b>For period covering October 1, 2016 to September 30, 2017</b> |
| <b>STATEMENT of<br/>MODEL PROGRAM<br/>ESSENTIAL ELEMENT<br/>DEFICIENCY:</b>   | The agency has not trained all employees (supervisory and non-supervisory) on DOT's anti-harassment policies. The agency has not trained all employees (supervisory and non-supervisory) on DOT's anti-harassment policies. |  |
| <b>OBJECTIVE:</b>   | To ensure that all managers/supervisors are trained on anti-harassment policies.  |  |
| <b>RESPONSIBLE OFFICIAL:</b>  | Associate Administrator for Civil Rights-Irene Rico   |  |
| <b>DATE OBJECTIVE INITIATED:</b>  | 12/01/2016  |  |
| <b>TARGET DATE FOR<br/>COMPLETION OF OBJECTIVE:</b>   | 12/01/2016  |  |
| <b>PLANNED ACTIVITIES TOWARD<br/>COMPLETION OF OBJECTIVE:</b>   |   |  |
| Identify available training module and/or develop a training module for anti-harassment policies  |   |  |
| <b>TARGET DATE: 09/30/2017</b>  |   |  |
| Present webinars or web-based sessions to be delivered and/or offered to managers, supervisors and employees.   |   |  |
| <b>TARGET DATE: 0/30/2017</b>   |   |  |
| <b>REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE</b>   |   |  |
| <p>           • The FHWA appointed an anti-harassment coordinator and implemented a pilot anti-harassment program in the later part of FY 17. The designated Coordinator for FHWA is Program Analyst, Pamela Woodruff with oversight by Irene Rico, Associate Administrator for Civil Rights. Mandatory anti-harassment training was delivered both in person and via webinar. FHWA developed a memorandum of the Pilot Anti-Harassment Coordination Process along with an approved Anti-Harassment Policy Statement.         </p> <ul style="list-style-type: none"> <li>• Out of the 2735* employees at FHWA, 2485 completed the training. The trainings took place on the following dates:</li> <li>• In person session HQ-06/01/17</li> <li>• Webinar 06/14/17</li> <li>• In person session Connecticut Division Office-06/28/17</li> <li>• Webinar-July</li> <li>• In person session Central Federal Lands 07/17/17</li> <li>• Webinar 07/12/17</li> <li>• Webinar-07/26/17</li> <li>• In person session- NY Division 08/08/17</li> </ul> <p>           *2735 employees was the total number of employees at the initiation of the Anti-Harassment training session when it launched in June 2017. Additionally, FHWA Office of Civil Rights conducted annual harassment training in FY 2017. These mandatory training sessions will continue each FY that follows, via a series of webinars and in person sessions. Proactive Prevention is the best tool to eliminate harassment in the workplace. Therefore, FHWA's training focuses on prevention and employee involvement in creating a civil and inclusive culture within the workplace. FHWA is currently are testing its interim/pilot anti-harassment program, and will evaluate this program by the end of FY 2018. It is expected in FY 2019 that FHWA will release a revised policy that will include all of the EEOC's requested elements.         </p> |   |  |

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| <b>EEOC FORM<br/>715-01<br/>PART H-2</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>  |  |
| <b>Department of Transportation/DOT Federal<br/>Highway Administration</b>  |  | <b>For period covering October 1, 2016 to September 30, 2017</b> |
| <b>STATEMENT of<br/>MODEL PROGRAM<br/>ESSENTIAL ELEMENT<br/>DEFICIENCY:</b>   | Agency does not conduct trend analysis on workforce data. The FHWA has not completed a 3-year trend analyses for the workforce compensation and reward system by race, national origin, sex, and disability. |  |
| <b>OBJECTIVE:</b>   | To conduct a trend analyses for workforce compensation and reward system by race, national origin, sex, and disability.  |  |
| <b>RESPONSIBLE OFFICIAL:</b>  | Acting Director of Human Resources - David Lewis   |  |
| <b>DATE OBJECTIVE INITIATED:</b>  | 1252005  |  |
| <b>TARGET DATE FOR<br/>COMPLETION OF OBJECTIVE:</b>   | 09/30/2017   |  |
| <b>PLANNED ACTIVITIES TOWARD<br/>COMPLETION OF OBJECTIVE:</b>   |  |  |
| HCR in partnership with HR will conduct an annual barrier analyses by race, national origin and sex on workforce compensation and awards for the last 3 to 5 years<br><br><b>TARGET DATE: 09/30/2017</b>  |  |  |
| HCR in partnership with HR will conduct an annual trend analyses by disability on workforce compensation and awards for the last 3 to 5 years<br><br><b>TARGET DATE: 09/30/2017</b>   |  |  |
| <b>REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE</b>   |  |  |
| <p>The FHWA completed its "At-A-Glance" workforce analysis report to FHWA employees. This workforce analysis was presented as a snapshot of the agency's workforce by Gender, Ethnicity, Disability, Grade Dispersion, Awards and Recognition. FHWA will continue to monitor and conduct an annual trend analyses by race, national origin and sex on workforce compensation and awards. The Office of Human Resources conducted a review of fiscal year 2016 (FY16) Performance-based Awards, Within-Grade Increases, Developmental Assignments, and Performance-based Ratings, for all General Schedule (GS) employees. As part of our commitment to maintaining a diverse workforce, we conduct this review to ensure that these programs don't create barriers based on gender, race and national origin (RNO), and disability. This report provides diversity information that may be used for needs assessment, program planning, program evaluation, and policy development activities. Based on the review, there were a few significant findings from the analysis conducted for FY16 Performance-based awards, Within-grade increases, Developmental assignments, and Performance ratings. Overall females saw a slightly significant increase, excluding Performance-Based Awards. Overall, those that are classified as White still receive the highest amount of Performance-based Awards, Within-Grade Increases, Developmental Assignments, and Performance-based Ratings. However, the same demographic has also seen a slight gradual decrease over the fiscal years, as the amounts for other races have increased. Those classified as Hispanic or Latino saw a 5% increase in Developmental Assignments. This report included detail breakdown of gender, RNO, disability, grade and major occupation for Performance-based Awards, Within-Grade Increases, Developmental Assignments, and Performance-based Ratings, for all GS employees.</p> |  |  |

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| <b>EEOC FORM<br/>715-01<br/>PART H-3</b>   | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>  |  |
| <b>Department of Transportation/DOT Federal<br/>Highway Administration</b>   |  | <b>For period covering October 1, 2016 to September 30, 2017</b> |
| <b>STATEMENT of<br/>MODEL PROGRAM<br/>ESSENTIAL ELEMENT<br/>DEFICIENCY:</b>  | Tracking recruitment efforts and using this data to identify potential barriers in accordance with MD-715 standards. 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. |  |
| <b>OBJECTIVE:</b>  | To track and analyze the effectiveness of our targeted recruitment outreach efforts to determine whether the FHWA is yielding a sufficient number of applications from the targeted recruitment activities conducted throughout the year   |  |
| <b>RESPONSIBLE OFFICIAL:</b>   | Associate Administrator for Civil Rights-Irene Rico; Acting Director of Human Resources - David Lewis  |  |
| <b>DATE OBJECTIVE INITIATED:</b>   | 12/15/2011   |  |
| <b>TARGET DATE FOR<br/>COMPLETION OF OBJECTIVE:</b>  | 09/30/2019   |  |
| <b>PLANNED ACTIVITIES TOWARD<br/>COMPLETION OF OBJECTIVE:</b>  |  |  |
| FHWA will work to identify the best approach to gathering and tracking data on recruitment resources<br><br><b>TARGET DATE: 09/17/2017</b>   |  |  |
| Analyze Data<br><br><b>TARGET DATE: 09/30/2017</b>   |  |  |
| <b>REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE</b>  |  |  |
| The Agency experienced a hiring freeze from January 2017, and thus recruitment efforts were not as expected for FY17. A modified plan will be developed with the target date of 09/30/2019 so that multiple year trend analyses can be performed. Recruitment activities will continue to be monitored for hiring trends for FY 18/19. |  |  |

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| <b>EEOC FORM<br/>715-01<br/>PART H-4</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>  |  |
| <b>Department of Transportation/DOT Federal<br/>Highway Administration</b>  |  | <b>For period covering October 1, 2016 to September 30, 2017</b> |
| <b>STATEMENT of<br/>MODEL PROGRAM<br/>ESSENTIAL ELEMENT<br/>DEFICIENCY:</b>   | Reduce the number of untimely EEO Counselings. In a minority of cases, the Agency has not provided timely EEO counseling within 30 days of the initial request or within an agreed upon extension in writing, up to 60 days. |  |
| <b>OBJECTIVE:</b>   | To ensure all pre-complaints are processed within the regulatory timeframes pursuant to Management 110 and 29 CFR 1614.  |  |
| <b>RESPONSIBLE OFFICIAL:</b>  | Associate Administrator for Civil Rights-Irene Rico  |  |
| <b>DATE OBJECTIVE INITIATED:</b>  | 03/09/2018   |  |
| <b>TARGET DATE FOR<br/>COMPLETION OF OBJECTIVE:</b>   | 09/30/2018   |  |
| <b>PLANNED ACTIVITIES TOWARD<br/>COMPLETION OF OBJECTIVE:</b>   |  |  |
| Program Manager will require EEO counselors to submit requests for extension three days in advance of the counseling ending date to the Program Manager.<br><br><b>TARGET DATE: 04/30/2018</b>  |  |  |
| Program Manager will monitor and track each pre-complaint filed and follow-up with EEO counselors via phone or email when the case is nearing its respective counseling end date (30th, 60th or 90th).<br><br><b>TARGET DATE: 05/31/2018</b>                              |  |  |
| Program Manager will hold bi-monthly EEO counselor's meetings to provide training, technical assistant and address any concerns with processes or any concerns EEO counselors may have regarding their counseling responsibilities.<br><br><b>TARGET DATE: 05/31/2018</b> |  |  |
| <b>REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE</b>   |  |  |
| FHWA will report on the accomplishments in FY 2018 MD -715 report.  |  |  |

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| <b>EEOC FORM<br/>715-01<br/>PART H-5</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>  |  |
| <b>Department of Transportation/DOT Federal<br/>Highway Administration</b>  |  | <b>For period covering October 1, 2016 to September 30, 2017</b> |
| <b>STATEMENT of<br/>MODEL PROGRAM<br/>ESSENTIAL ELEMENT<br/>DEFICIENCY:</b>   | <b>Anti-Harassment Policy Statement and Procedures</b> The FHWA does not have Anti-Harassment procedures to complement its current Anti-Harassment policy. The FHWA is developing its procedures and planning to address this deficiency in FY 2019. |  |
| <b>OBJECTIVE:</b>   | Revise current Anti-Harassment policy statement to bring it in compliance with EEOC requirements.  |  |
| <b>RESPONSIBLE OFFICIAL:</b>  | Associate Administrator for Civil Rights-Irene Rico  |  |
| <b>DATE OBJECTIVE INITIATED:</b>  | 03/30/2018   |  |
| <b>TARGET DATE FOR<br/>COMPLETION OF OBJECTIVE:</b>   | 09/30/2019   |  |
| <b>PLANNED ACTIVITIES TOWARD<br/>COMPLETION OF OBJECTIVE:</b>   |  |  |
| <p>Currently the FHWA is piloting an anti-harassment coordination process. Based on the outcome of that pilot, FHWA will be finalizing its procedures for addressing harassment in the workplace, including the decision-maker on allegations of harassment. The procedures we adopt will be articulated in a new signed Anti-Harassment Policy Statement.</p> <p>TARGET DATE: 09/30/2019</p> |  |  |
| <b>REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE</b>   |  |  |
| FHWA will report out its accomplishments for this deficiency in its report for FY 2019.   |  |  |

| EEOC FORM<br>715-01<br>PART I-1  |  | U.S. Equal Employment Opportunity Commission<br>FEDERAL AGENCY ANNUAL<br>EEO PROGRAM STATUS REPORT   |  |
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| Department of Transportation/DOT Federal   |  | For period covering October 1, 2016 to September 30, 2017  |  |
| STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:<br><br>Provide a brief narrative describing the condition at issue.<br><br>How was the condition recognized as a potential barrier?                                   |  | White Women, Hispanic men and women, American Indian or Alaska Native women and men, men and women reporting two or more races, and PWTB have lower than expected participation rates within FHWA's workforce. Workforce Data Tables A/B1, A/B6, A/B7, A/B9, A/B11   |  |
| BARRIER ANALYSIS:<br><br>Provide a description of the steps taken and data analyzed to determine cause of the condition.   |  | FHWA has a low participation rate for the groups identified below as compared with the FY 2010 Civilian Labor Workforce. <ul style="list-style-type: none"> <li>• Women</li> <li>• Hispanic Females</li> <li>• White Females</li> <li>• Native Hawaiian or Other</li> <li>• Pacific Islander Females</li> <li>• American Indian or Alaska Native Females</li> <li>• Two or More Races Males</li> </ul> |  |
| STATEMENT OF IDENTIFIED BARRIER:<br><br>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.  |  | White Women, Hispanic men and women, American Indian or Alaska Native women and men, men and women reporting two or more races, have lower than expected participation rates within FHWA's workforce.  |  |
| OBJECTIVE:<br><br>State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.  |  | FHWA will establish new 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 2018-2019 Strategic Plan.   |  |
| RESPONSIBLE OFFICIAL:  |  | Associate Administrator for Civil Rights- Irene Rico ;Acting Director of Human Resources-David Lewis   |  |
| DATE OBJECTIVE INITIATED:  |  | 03/19/2018   |  |
| TARGET DATE FOR COMPLETION OF OBJECTIVE:   |  | 09/30/2020   |  |
| EEOC FORM<br>715-01<br>PART I-1  |  | EEO Plan To Eliminate Identified Barrier   |  |
| PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:   |  | TARGET DATE<br>(Must be specific)  |  |
| Continue to implement the Hispanic Recruitment Plan to attract, recruit, develop and retain Hispanic representation.   |  | 09/30/2019   |  |
| Continue to conduct Barrier analysis and various trend analyses on workforce profile data, major occupations, grade distribution, the workforce compensation reward system, and management/personnel policies, practices and procedures. |  | 09/30/2019   |  |
| REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE   |  |  |  |
|  |  |  |  |

# 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 C.F.R. § 1614.203(d)(7)) require agencies to establish specific numerical goals for increasing the participation of persons with reportable and 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

The percentage of PWD in the GS 11 to SES cluster was 8.53% in FY 2017, which falls below the goal of 12%.

\* 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: Yes

The percentage of PWTD in the GS 11 to SES was .67% in FY 2017, which falls below the goal of 2%.

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

The FHWA Office of Human Resources is committed and has communicated to the hiring managers the importance of increasing the number of individuals with targeted

disabilities. We notified hiring managers of the established hiring goals for FY2017 for people with disabilities (targeted and non-targeted). We will continue to track progress closely and re-evaluate hiring and retention goals on a quarterly basis.

People with Disabilities activities are monitored, reviewed and evaluated throughout the fiscal year by the Office of Human Resources to ensure its success and to promote and communicate diversity and inclusion efforts in FHWA. The information is communicated in Headquarters and field offices through Human Resources Specialists; workforce statistical data and monthly reports to hiring managers and supervisors on the status of people with disabilities hires, promotion and retention; and, FHWA’s website and Intranet to ensure transparency.

## 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 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

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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<br>(Name, Title, Office, Email)  |
|--|-------------------------------------|-----------|-----------------|---|
|  | Full Time                           | Part Time | Collateral Duty |   |
| Processing applications from PWD and PWTD  | 1                                   | 0         | 0               | Eleni Triantafell, Human Resources Specialist   |
| Answering questions from the public about hiring authorities that take disability into account | 1                                   | 0         | 0               | Eleni Triantafell, Human Resources Specialist   |
| Processing reasonable accommodation requests from applicants and employees                     | 2                                   | 0         | 1               | Eleni Triantafell, Human Resources Specialist<br>Kirsten Poston, Disability Resource Manager<br>Chris Lankford, Program Analyst |
| Section 508 Compliance   | 1                                   | 0         | 0               | Stephanie Jackson, Project Manager  |
| Architectural Barriers Act Compliance  | 1                                   | 0         | 0               | Jeffrey Baxter, Associate Director of Facilities  |

| Disability Program Task                   | # of FTE Staff by Employment Status |           |                 | Responsible Official<br>(Name, Title, Office, Email) |
|---|-------------------------------------|-----------|-----------------|--|
|   | Full Time                           | Part Time | Collateral Duty |  |
| 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(s) that disability program staff have received. If “no”, describe the training(s) planned for the upcoming year.

Answer: Yes

For recruiting and hiring people with targeted disabilities and non-targeted disabilities, the disability program staff in the FHWA Office of Human Resources received training related to Human Resources in the areas of Qualifications Analysis; Hiring Flexibilities to include Schedule A and Veterans; Using HR Analysis; Federal Staffing Placement; Federal Pay Setting; Recruitment Sourcing; Employment Branding; and Writing Effective Job Announcements.

For Reasonable Accommodations, the disability program staff in the Office of Civil Rights received training in on the Reasonable Accommodations process at the EEOC’s EXCEL 2017 Conference and the 2017 Federal Dispute Resolution

## **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

In FY 2017, the FHWA Office of Human Resources received funding for internship programs for college students and recent graduates, procuring recruitment and outreach events, and placing advertisements with various diverse societies and organizations as vacancies become available and when funding for advertisements is available.

Leadership development, management, and supervisory training programs were funded. The programs help candidates prepare for promotion and leadership opportunities.

## **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 APPLICANTS WITH DISABILITIES**

1. Describe the programs and resources the agency uses to identify job applicants with disabilities, including individuals with targeted disabilities.

In FY 2017, the FHWA Office of Human Resources attended targeted recruitment and outreach events designed to network and meet job applicants with disabilities. Contact is maintained with disability organizations and colleges with disability offices to provide them with information on employment opportunities, internship programs and with assistance in recruitment. These organizations and colleges have helped us build or post job announcements on their free recruitment sites so they are more visible in those specific communities.

FHWA will continue using the following recruitment resources: OPM's Shared List of People with Disabilities; the Workforce Recruitment Program (WRP) database; State and local vocational rehabilitation agencies and employment offices; the Department of Veterans Affairs, Wounded Warrior Office and Vets 2 Feds; Military installations and transition offices; US Department of Labor, Employer Assistance and Resources Network (EARN); Department of Defense, Operation Warfighter Program; educational institutions, colleges and universities, and career fairs; and, other organizations whose primary focus is working to employ people with disabilities. In addition, the FHWA Disability Program website includes a comprehensive listing of veteran's and persons with disabilities organizations.

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 PWTDD for positions in the permanent workforce.

FHWA Human Resources Specialists advises managers on the hiring process for Schedule A, Excepted Service, Veterans Recruitment Appointment (VRA), and 30% or more Disabled Veterans appointments. Vacancies that are advertised "government-wide" and "all sources" include a statement on PWD and consideration under special appointing authorities. Eligibility criteria are addressed on open competitive vacancy announcements to educate those candidates unfamiliar with application procedures, forms, and requirements. Applicants with disabilities who meet the job qualifications are referred to the hiring managers. Targeted Schedule A job announcements are sent to veteran and disability organizations, and colleges with disability offices to provide them with information on employment and internship opportunities.

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 Human Resources Specialists works directly with hiring managers to use the non-competitive excepted service hiring authorities, including Schedule A. They consult with hiring managers on all phases of the recruitment and hiring process. The hiring manager may use a position description that is already completed or coordinates with the Human Resources Specialist to develop a functional position description. The hiring manager will also need to consider the skills and abilities that

a candidate needs to fulfill the essential functions of the job. Working with the hiring manager, the excepted service announcements are developed and forwarded to various professional organizations including veteran and disability organizations, colleges/universities, state and local vocational rehabilitation agencies and employment offices to broaden the applicant pool. The Human Resources Specialist 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 the qualified candidates, he/she decides if the applicant can perform the job duties and is a good fit for FHWA. 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

FHWA Human Resources Specialists conducted webinars to the HR community and hiring managers on using non-competitive hiring strategies, including hiring veterans and PWD. The Office of Human Resources will have additional training sessions for managers and supervisors on strategies for successful recruitment including the hiring process, the advancement and retention of PWD (e.g., Schedule A); and on disability awareness.

Human Resources Specialists met with hiring managers at Headquarters and field program offices on the non-competitive hiring process and the hiring flexibilities. At these briefing sessions, hiring managers were encouraged to promote and create job opportunities for applicants with disabilities at all grade levels, as well as promoting internship opportunities for applicants with disabilities. They were also provided with information on how to conduct targeted outreach, ensure that the hiring process is accessible, ask effective questions during an interview, and have a successful onboarding process.

## **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.

FHWA has identified national and local disability employment organizations, colleges, as well as state service providers who can disseminate job postings. These organizations, colleges, and state service providers contact PWD and PWTD regarding our job postings and help us identify potential candidates. We maintain contact and continue to work with them through the recruitment process. These contacts are valuable for our hiring success and deliver productive results. Additionally, FHWA participates in recruitment events across the country

through partnerships with Minority Serving Institutions and organizations such as Historically Black Colleges Universities, Hispanic-Serving Institutions, Hispanic Association of Colleges and Universities, and Hispanic/Latino Professionals Association to increase the diversity of the applicant pool.

In FY 2017, FHWA attended 17 recruitment events at colleges, universities, academic institutions, and professional associations that support populations of diverse recruitment candidates. The FHWA also attended two (2) special events for elementary and middle school students, and high school students to educate them on careers in transportation, related academic disciplines, internship programs, and the volunteer student program.

### **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: Yes

Among new hires in the permanent workforce no triggers exist for PWD (12.42%). Triggers exist for PWTD (1.86%), falls below the benchmark of 2% of PWTD. This workforce tables did not include the intra transfer within modes to FHWA.

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.

a. New Hires for MCO (PWD)      Answer: Yes

b. New Hires for MCO (PWTD)      Answer: Yes

In comparison to the qualified applicant pool benchmark, triggers for some of the MCOs exist as summarized below. FHWA notes that the low number of selections for many of these MCOs creates a sample size where the trigger may not indicate a statistically valid indication that there is a difference between the number of selections expected and the number that occurred.

Compared to the benchmarks, Triggers exist for PWD/PWTD in the following Mission Critical Occupations:

0020 Community Planning (YES=PWD 4.28% qualified 0% selected, YES= PWTD 1.97% qualified, 0% selected)

0028 Environmental Protection Specialist (NO=PWD 2.89% qualified, 9.09% selected, YES=PWTD 1.73% qualified, 0% selected)

05801 Financial Administration and Program (NO= PWD 7.02% qualified, 16.67% selected, YES= PWTD 2.89% qualified, 0% selected)

0505 Financial Management -No Positions Filled

0802 Engineering Technician (YES=PWD 8.75% qualified, 0% selected, YES=PWTD 7.50 % qualified, 0% selected)

0810 Civil Engineering (NO=PWD 1.93% qualified, 9.68% selected), YES=PWTD 2.08% qualified, 0% selected)  
1170 Realty Series (NO=PWD 2.08% qualified, 20% selected, YES=PWTD 2.08% qualified, 0% selected)  
2101 Transportation Specialist (YES=3.37% qualified, 0% selected, YES=PWTD 1.91% qualified, 0% selected)

See Table B7

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.

a. Qualified Applicants for MCO (PWD) Answer: Yes

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

In comparison to the relevant applicant pool benchmark, triggers for some of the MCO's exist as summarized below:

0020 Community Planning YES=PWD (8.48% in pool, 0% qualified) YES= PWTD (.85% in pool, 0% qualified)

0028 Environmental Protection Specialist YES=PWD (6.73% in pool, 0% qualified), No=PWTD (0% in pool, 0% qualified)

05801 Financial Administration and Program YES= PWD (9.14% in pool, 6.38% qualified), No= PWTD 0% in pool, 4.26% qualified)

0505 Financial Management - NO - Did not fill any vacancies

0802 Engineering Technician YES=PWD (12.37% in pool, 0 % qualified,) YES=PWTD (2.06% in pool, 0% qualified)

0810 Civil Engineering YES=PWD (6.16% in pool, 2.80% qualified), YES=PWTD (2.06% in pool, 0% qualified)

1170 Realty Series YES=PWD (2.70% in the pool, 0% qualified) No=PWTD (0% in the pool, 0% qualified)

2101 Transportation Specialist YES=(7.85% in the pool, 3.28% qualified) No=PWTD (2.01% in the pool, 2.69% qualified)

See Table B9

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.

a. Promotions for MCO (PWD) Answer: No

b. Promotions for MCO (PWTD) Answer: Yes

In comparison to the qualified applicant pool benchmark, there were no triggers for PWD in any MCO). Triggers for some of the MCOs exist for PWTD as summarized below:

0020 Community Planning NO=(0% qualified, 0% selected), YES= PWTD (0% qualified, 0% selected)

0028 Environmental Protection Specialist NO=(0% qualified, 0% selected), YES= PWTD (0% qualified, 0% selected)

05801 Financial Administration and Program NO=(6.38% qualified, 16.67% selected), YES= PWTDD (4.26% qualified, 0% selected)  
0505 Financial Management -NO Vacancies Filled  
0802 Engineering Technician NO=(0% qualified, 0% selected), YES= PWTDD (0% qualified, 0% selected)  
0810 Civil Engineering NO=PWD 1.93% qualified, 9.68% selected), YES=PWTDD 2.08% qualified, 0% selected)  
1170 Realty Series NO=(0% qualified, 0% selected), YES= PWTDD (0% qualified, 0% selected)  
2101 Transportation Specialist (No=3.28% qualified, 11.11% selected), NO=PWTDD (2.69% qualified, 5.56% selected)

## 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 PWTDD, have sufficient opportunities for advancement.

FHWA employees, including PWD and PWTDD, 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.

### B. CAREER DEVELOPMENT OPPORTUNITIES

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

FHWA encourages and provides training and career development opportunities for all employees, including PWD and PWTD. Career development opportunities consist of internship programs, mentoring program, coaching program, training programs, and rotational assignment opportunities. All employees are notified of developmental and training opportunities via the FHWA's Temporary Developmental Assignment Clearinghouse, the Professional Development Program Clearinghouse, The Learning Highway, Career Advancement Webinar Series, Webinar Library, Training and Development email system, Employee Awareness Program and Training Management System. All employees are encouraged to develop and maintain Individual Development Plans (IDPs), designed to identify training and competencies, and help their career advancement opportunities.

2. 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 applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Applicants (PWD)

Answer: No

b. Selections (PWD)

Answer: No

3. Do triggers exist for PWTD among the applicants and/or selectees for any of the career development programs identified? (The appropriate benchmarks are the relevant applicant pool for applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Applicants (PWTD)

Answer: No

b. Selections (PWTD)

Answer: No

## C. AWARDS

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

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

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

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

a. Pay Increases (PWD) Answer: No

b. Pay Increases (PWTD) Answer: No

3. If the agency has other types of employee recognition programs, are PWD and/or PWTD recognized disproportionately less than employees without disabilities? (The appropriate benchmark is the inclusion rate.) If "yes", describe the employee recognition program and relevant data in the text box.

a. Other Types of Recognition (PWD) Answer: No

b. Other Types of Recognition (PWTD) Answer: No

## D. PROMOTIONS

1. Does your agency have a trigger involving PWD among the qualified internal applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box.

a. SES

i. Qualified Internal Applicants (PWD) Answer: No

ii. Internal Selections (PWD) Answer: Yes

b. Grade GS-15

i. Qualified Internal Applicants (PWD) Answer: Yes

ii. Internal Selections (PWD) Answer: No

c. Grade GS-14

i. Qualified Internal Applicants (PWD) Answer: Yes

ii. Internal Selections (PWD) Answer: No

d. Grade GS-13

i. Qualified Internal Applicants (PWD) Answer: Yes

ii. Internal Selections (PWD) Answer: No

In comparison to the applicable benchmarks, there were triggers for PWD regarding each grade level, but in no instance was there a trigger for both qualified internal applicants and selectees. Trigger information is summarized below:

Grade

Relevant pool vs. qualified applicants

SES No (6.80% in pool, 11.76% qualified)

GS- 15 Yes (6.90% in pool, 3.36% qualified)

GS-14 Yes (7.0% in pool, 3.53% qualified)

GS 13 Yes (10.45% in pool, 2.99% qualified)

Qualified applicants vs. selected

SES Yes (11.76 % qualified, 0% selected)

GS -15 No (3.36% qualified, 6.67% selected)

GS- 14 No (3.53% qualified, 4% selected)

GS -13 No (2.99% qualified, 8.57% selected)

See Also Table B11

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.

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: No

c. Grade GS-14

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

d. Grade GS-13

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

In comparison to the applicable benchmarks, there were triggers for PWTD for SES, GS-14, and GS-13, but not for GS-15. In no instance was there a trigger for both qualified internal applicants and selectees. Trigger information is summarized .

|  |                                       |
|--|---------------------------------------|
| Grade                                  |                                       |
| Relevant pool vs. qualified applicants |                                       |
| SES                                    | No (1.3% in pool, 11.76% qualified)   |
| GS-15                                  | No (1.6% in pool, 2.52% qualified)    |
| GS-14                                  | No (.80% in pool, 2.52% qualified)    |
| GS-13                                  | No (1.26% in pool, 2.33% qualified)   |
| Qualified applicants vs. selected      |                                       |
| SES                                    | Yes (11.76% qualified, 0% selected)   |
| GS-15                                  | No (2.52% qualified, 6.67% selected)  |
| GS-14                                  | Yes (2.52% qualified, 2.35% selected) |
| GS-13                                  | Yes (2.33% qualified, 0% selected)    |

See Also Table B11

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

|   |
|---|
| Insufficient data to complete at this time. |
|---|

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

|   |
|---|
| Insufficient data to complete at this time. |
|---|

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

Insufficient data to complete at this time.

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.

a. Executives

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

b. Managers

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

Insufficient data to complete at this time.

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.

a. New Hires for Executives (PWD) Answer: No

b. New Hires for Managers (PWD) Answer: No

c. New Hires for Supervisors (PWD) Answer: No

Insufficient data to complete at this time.

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.

a. New Hires for Executives (PWTD) Answer: No

b. New Hires for Managers (PWTD) Answer: No

c. New Hires for Supervisors (PWTD) Answer: No

Insufficient data to complete at this time.

## Section V: Plan to Improve Retention of Persons with Disabilities

To be a 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 personal assistance services.

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer: Yes

FHWA had to delay the conversion of one eligible Schedule A employee with a disability into the competitive service after two years of satisfactory service due to FTE budget restriction and a hiring freeze. After this delay, the employee was converted into the competitive service in FY 2018.

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

a. Voluntary Separations (PWD)

Answer: No

b. Involuntary Separations (PWD)

Answer: No

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

a. Voluntary Separations (PWTD)

Answer: No

b. Involuntary Separations (PWTD)

Answer: No

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.

N/A

### B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

Pursuant to 29 C.F.R. § 1614.203(d)(4), federal agencies are required to inform job 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 <https://www.transportation.gov/accessibility>. Also, a helpful link, <http://www.section508.gov>, can be found on the agency's public website.

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 of 1968 is <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards>. Another internet address is also available at: <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites>.

3. Describe any programs, policies, or practices that the agency has undertaken, or plans on undertaking over the next fiscal year, designed to improve accessibility of agency facilities and/or technology.

The Office of Human Resources will continue to update the agency's Disability Program website with appropriate links; update the Intranet on resume writing, interviewing, and coaching; use emails to assist in recruiting individuals with disabilities and to raise awareness. This website is used to provide information and resources for managers in recruiting individuals with disabilities and disabled veterans. Human Resources Specialists, managers, and supervisors are aware of special appointment authorities that can be used in the hiring of individuals with disabilities and veterans with disabilities.

## **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.)

According to the DOT Order 1011.1A the time frames for processing reasonable accommodation requests is 25 business days. FHWA processes reasonable accommodation requests in accordance with the policy and requests are entered into the Department's Reasonable Accommodation 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.

The Departmental Office of Civil Rights prepared and issued a policy document, "DOT Order 1011.1A – Procedures for Processing Reasonable Accommodation Requests from Job Applicants and DOT Employees with Disabilities." This document includes procedures for processing reasonable accommodation requests for employees and job applicants with disabilities, and includes timely processing requests as well as providing timely approved accommodations.

The U.S. Department of Transportation (DOT)'s Disability Resource Center (DRC) has a pool of interpreters and also has personal assistants on site daily for any applicants or employees with disabilities. To assist OAs with providing reasonable accommodations to employees and job applicants, DRC provides services to the entire DOT. The DRC is funded by the Working Capital Fund which ensures fair and consistent outcomes throughout DOT.

Assistive Technology Training: To ensure the employee's success in using the identified product, training can also be provided by DRC. This training is usually contracted with an outside vendor. The vendor will be provided with the employee's contact information and will contact the employee to schedule the training directly with the employee.

DRC released an updated Version 2.0 of their Services Handbook in August, 2017.

Highlights of the updated handbook include:

- Chapters and headings have been streamlined to ensure smooth navigation throughout the document.
- Section 4.6, "Sign Language Interpreting," has been redone to reflect changes to procedures brought about by the new nationwide interpreting services contract that took effect April 1, 2017. Procedures have been standardized nationwide, regardless of the location of services provided.
- A new Appendix has been added to include factors to consider when deciding whether to pay the salary for an employee's own Personal Attendant while on travel. FHWA previously in 2016 provided a training Webinar to all managers and

## **D. PERSONAL ASSISTANCE SERVICES ALLOWING EMPLOYEES TO PARTICIPATE IN THE WORKPLACE**

Pursuant to 29 C.F.R. § 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, timely providing approved services, conducting training for managers and supervisors, and monitoring PAS requests for trends.

In the workplace, Personal Assistance Services (PAS) is provided as a reasonable accommodation; therefore, obtaining these services are handled in the same manner as follows:

1. The employee requests PAS by informing either his supervisor, human resources personnel, designated decision maker, other suitable DOT representative that he or she requires assistance with daily life activities because of a medical condition/targeted disability.

2. The employee and/or Representative contacts the DRC to speak with a Reasonable Accommodation Analyst to begin the interactive Reasonable Accommodation process to process the request.

3. If an employee works with classified information or in a secured area, DOT should work to locate a service provider who can obtain the appropriate security clearance.

The DOT’s Disability Resource Center Handbook includes procedures to implement the PAS requirement. When an employee with a disability makes a request for PAS as an accommodation in the workplace, the interactive accommodation process is initiated. If required, a disability determination must be made, an analysis completed, and an Action Plan developed. If an Action Plan exists for a different type of PAS then what is being asked for or there is a need to make a change to the existing service being provided, then after the analysis has been completed, an Action Plan Addendum will be developed.

The employee will be asked to acknowledge receipt of the PAS by signing paperwork provided by the vendor describing services provided. The schedule for this could be daily, weekly, monthly, etc. as established in the contract between DOT and the PAS vendor. If the employee feels that there is a discrepancy between what is listed on the paperwork and actual services received, they are to notify the DRC immediately.

## **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: No

3. If the agency had one or more findings of discrimination alleging harassment based on disability status during the last fiscal year, please describe the corrective measures taken by the agency.

FHWA had no findings of Discrimination in FY 2017.

## **B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION**

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

Answer: No

2. During the last fiscal year, did any complaints alleging failure to provide reasonable accommodation result in a finding of discrimination or a settlement agreement?

Answer: Yes

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

FHWA had no findings of Discrimination in FY 2017.

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

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

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

Answer: No

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

Answer: 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.

|   |   |  |
|---|---|--|
| <b>Trigger 1</b>  | There are some triggers regarding qualified candidates and selections in certain MCOs and grade levels for both individuals with disabilities PWD and PWTD.   |  |
| <b>Barrier(s)</b>   | Recruitment Practices; FHWA focuses recruitment on distributing competitive vacancy announcements.<br>Reasonable Accommodation; FHWA needs to develop and market its written procedures for Reasonable Accommodations for FHWA employees and applicants.  |  |
| <b>Objective(s)</b>   | Increase hiring manager and HR Specialist awareness and knowledge of how to use non-competitive hiring authorities for individuals with disabilities (Schedule A; "On-the-Spot" within FAA). Increased awareness of this hiring flexibility will ensure we follow the departmental in FY 2014 established goal of 3% onboard persons with disabilities and EEOC hiring goal that 2% percent of all new hires at GS 1-10 and GS 11-SES should be PWTD. |  |
| <b>Responsible Official(s)</b>  |   | <b>Performance Standards Address the Plan? (Yes or No)</b> |
| David Lewis, Acting Director, Office of Human Resources; Irene Rico, Associate Administrator for Civil Rights |   | Yes  |
| <b>Barrier Analysis Process Completed? (Yes or No)</b>  |   | <b>Barrier(s) Identified? (Yes or No)</b>                  |
| Yes   |   | Yes  |
| <b>Sources of Data</b>  | <b>Sources Reviewed? (Yes or No)</b>  | <b>Identify Information Collected</b>                      |
| Workforce Data Tables   | Yes   |  |
| Complaint Data (Trends)   | Yes   |  |
| Grievance Data (Trends)   | No  |  |
| Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)                               | No  |  |
| Climate Assessment Survey (e.g., FEVS)  | Yes   |  |
| Exit Interview Data   | No  |  |
| Focus Groups  | No  |  |
| Interviews  | No  |  |
| Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)  | No  |  |
| Other (Please Describe)   | No  |  |

| Target Date<br>(mm/dd/yyyy) | Planned Activities  | Sufficient Staffing & Funding<br>(Yes or No) | Modified Date<br>(mm/dd/yyyy) | Completion Date<br>(mm/dd/yyyy) |
|-----------------------------|---|--|-------------------------------|---------------------------------|
| 09/30/2020                  | Educate hiring managers and HR Specialists on available hiring flexibilities to include Schedule A through the revamped and user-friendly hiring tool kit.<br>The FHWA will analyze data regarding disability status reporting of preference eligible veterans to determine what, if any, outreach education should be developed to encourage identifying as a PWD/PWTD.<br>Develop step by step procedures on the Reasonable Accommodations process in easy to use format for employees.<br>Develop marketing plan for rolling out the procedures. | Yes  |                               |                                 |
| <b>Fiscal Year</b>          | <b>Accomplishments</b>  |  |                               |                                 |
| 2020                        | FHWA will report updates and progress in FY18/19/20 MD-715 report.  |  |                               |                                 |

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

FHWA will report out progress and updates for the upcoming FY 2018, FY 2019 and FY 2020 MD-715 report.

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 2018, FY 2019 and FY 2020 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 2018, FY 2019 and FY 2020 MD-715 report.