

U.S. Department of Transportation  
Federal Highway Administration  
Fiscal Year 2021

# MANAGEMENT DIRECTIVE 715 ANNUAL EEO PROGRAM STATUS REPORT



U.S. Department of Transportation  
**Federal Highway Administration**

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

**Table of Contents**

Parts A – E. Identification, General Employment Totals, and Executive Summary .....	2
Part F. Certification of Establishment of Continuing EEO Programs .....	26
Part G. Agency Self-Assessment Checklist Measuring Essential Elements.....	27
Part H. EEO Plan to Attain the Essential Elements of a Model EEO Program.....	59
Part I. EEO Plan to Eliminate Identified Barriers.....	70
Part J. Special Program Plan for the Recruitment, Hiring, Advancement, and Retention of Persons with Disabilities.....	78

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

**MD-715**  
**Parts A Through E**

**Part A – Department or Agency Identifying Information**

Agency	Second Level Component	Address	City	State	Zip Code	Agency	FIPS Code
U.S. Department of Transportation	Federal Highway Administration	1200 New Jersey Avenue, SE	Washington	DC	20590	TD04	1100 1000 01

**Part B – Total Employment**

Total Employment	Permanent Workforce	Temporary Workforce	Total Workforce
Number of Employees	2722	4	2726

**Part C.1 – Head of Agency and Head of Agency Designee**

Agency Leadership	Name	Title
Head of Agency	Stephanie Pollack	Acting Administrator
Head of Agency Designee	Stephanie Pollack	Deputy Administrator

**Part C.2 – Agency Official(s) Responsible for Oversight of EEO Program(s)**

EEO Program Staff	Name	Title	Occupational Series	Pay Plan and Grade	Phone Number	Email Address
Principal EEO Director/ Official	Irene Rico	Associate Administrator for Civil Rights	0340	SES	202-366-0693	<a href="mailto:Irene.Rico@dot.gov">Irene.Rico@dot.gov</a>
Affirmative Employment Program Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	<a href="mailto:Nikisha.Bennett@dot.gov">Nikisha.Bennett@dot.gov</a>

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

<b>EEO Program Staff</b>	<b>Name</b>	<b>Title</b>	<b>Occupational Series</b>	<b>Pay Plan and Grade</b>	<b>Phone Number</b>	<b>Email Address</b>
Complaint Processing Program Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS - 14	202-366-3894	<a href="mailto:Nikisha.Bennett@dot.gov">Nikisha.Bennett@dot.gov</a>
Diversity & Inclusion Officer	Shakira Crandol	Chief DEI Officer	0340	GS-15	202-366-6731	<a href="mailto:Shakira.Crandol@dot.gov">Shakira.Crandol@dot.gov</a>
Hispanic Program Manager (SEPM)	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	<a href="mailto:Nikisha.Bennett@dot.gov">Nikisha.Bennett@dot.gov</a>
Women's Program Manager (SEPM)	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	<a href="mailto:Nikisha.Bennett@dot.gov">Nikisha.Bennett@dot.gov</a>
Disability Program Manager (SEPM)	Kirsten Poston	Disability Policy Analyst	0301	GS-13	202-559-5116	<a href="mailto:Kirsten.Poston@dot.gov">Kirsten.Poston@dot.gov</a>
Special Placement Program Coordinator (Individuals with Disabilities)	Allen Milham	Program Analyst	0343	GS-11	202-493-5238	<a href="mailto:Allen.Milham@dot.gov">Allen.Milham@dot.gov</a>
Reasonable Accommodation Program Manager	Kirsten Poston	Disability Policy Analyst	0301	GS-13	202-559-5116	<a href="mailto:Kirsten.Poston@dot.gov">Kirsten.Poston@dot.gov</a>
Anti-Harassment Program Manager	Pamela McCormick	Anti-Harassment Coordinator	0301	GS-13	202-366-0693	<a href="mailto:Pamela.McCormick@dot.gov">Pamela.McCormick@dot.gov</a>

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

<b>EEO Program Staff</b>	<b>Name</b>	<b>Title</b>	<b>Occupational Series</b>	<b>Pay Plan and Grade</b>	<b>Phone Number</b>	<b>Email Address</b>
ADR Program Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	<a href="mailto:Nikisha.Bennett@dot.gov">Nikisha.Bennett@dot.gov</a>
Compliance Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	<a href="mailto:Nikisha.Bennett@dot.gov">Nikisha.Bennett@dot.gov</a>

**Part D.1 – List of Subordinate Components Covered in this Report**

☐ If the agency does not have any subordinate components, please check the box.

<b>Subordinate Component</b>	<b>City</b>	<b>State</b>	<b>Agency Code</b>	<b>FIPS Code</b>
<b>Division Office</b> – The FHWA has a Division office in each of the 50 states, the District of Columbia and Puerto Rico.				
Alabama Division Office	Montgomery	AL	TD04	12130101
Alaska Division Office	Juneau	AK	TD04	21130110
Arizona Division Office	Phoenix	AZ	TD04	40370013
Arkansas Division Office	Little Rock	AR	TD04	52320119
California Division Office	Sacramento	CA	TD04	63150067
Colorado Division Office	Lakewood	CO	TD04	81435059
Connecticut Division Office	Hartford	CT	TD04	90255003
Delaware Division Office	Dover	DE	TD04	100130001
District of Columbia Division Office	Washington	DC	TD04	110010001
Florida Division Office	Tallahassee	FL	TD04	122940073
Georgia Division Office	Atlanta	GA	TD04	130280089
Hawaii Division Office	Honolulu	HI	TD04	152400003
Idaho Division Office	Boise	ID	TD04	160160001
Illinois Division Office	Springfield	IL	TD04	178220167
Indiana Division Office	Indianapolis	IN	TD04	182210097
Iowa Division Office	Ames	IA	TD04	190230169
Kansas Division Office	Topeka	KS	TD04	205400177
Kentucky Division Office	Frankfort	KY	TD04	211220073
Louisiana Division Office	Baton Rouge	LA	TD04	220150033
Maine Division Office	Augusta	ME	TD04	230160011
Maryland Division Office	Baltimore	MD	TD04	240050510
Massachusetts Division Office	Cambridge	MA	TD04	250170017
Michigan Division Office	Lansing	MI	TD04	262700037
Minnesota Division Office	St. Paul	MN	TD04	276330123

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

<b>Subordinate Component</b> <b>Division Office</b> – The FHWA has a Division office in each of the 50 states, the District of Columbia and Puerto Rico.	<b>City</b>	<b>State</b>	<b>Agency Code</b>	<b>FIPS Code</b>
Mississippi Division Office	Jackson	MS	TD04	281220049
Missouri Division Office	Jefferson City	MO	TD04	294040027
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	Concord	NH	TD04	330070013
New Jersey Division Office	West Trenton	NJ	TD04	343380021
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 City	OK	TD04	403550017
Oregon Division Office	Salem	OR	TD04	411810047
Pennsylvania Division Office	Harrisburg	PA	TD04	423500043
Puerto Rico Division Office	San Juan	PR	TD04	72-127
Rhode Island Division Office	Providence	RI	TD04	440190007
South Carolina Division Office	Columbia	SC	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
Vermont Division Office	Montpelier	VT	TD04	500380023
Virginia Division Office	Richmond	VA	TD04	512060760
Washington Division Office	Olympia	WA	TD04	531590067
West Virginia Division Office	Charleston	WV	TD04	540480039
Wisconsin Division Office	Madison	WI	TD04	552780025
Wyoming Division Office	Cheyenne	WY	TD04	560100021
Federal Lands Highway Division Offices			TD04	110010001

**Part D.2 – Mandatory and Optional Documents for this Report**

In the table below, the agency must submit these documents with its MD-715 report.

<b>Did the agency submit the following mandatory documents?</b>	<b>Please respond Yes or No</b>	<b>Comments</b>
Organizational Chart	YES	
EEO Policy Statement	YES	

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

<b>Did the agency submit the following mandatory documents?</b>	<b>Please respond Yes or No</b>	<b>Comments</b>
Strategic Plan	YES	
Anti-Harassment Policy and Procedures	YES	
Reasonable Accommodation Procedures	YES	The Departmental Office of Civil Rights submits this document on behalf of the Department.
Personal Assistance Services Procedures	YES	The Departmental Office of Civil Rights submits this document on behalf of the Department.
Alternative Dispute Resolution Procedures	YES	The Departmental Office of Civil Rights submits this document on behalf of the Department.

In the table below, the agency may decide whether to submit these documents with its MD-715 report.

<b>Did the agency submit the following optional documents?</b>	<b>Please respond Yes or No</b>	<b>Comments</b>
Federal Equal Opportunity Recruitment Program (FEORP) Report	YES	
Disabled Veterans Affirmative Action Program (DVAAP) Report	YES	
Operational Plan for Increasing Employment of Individuals with Disabilities under Executive Order 13548	YES	The Departmental Office of Civil Rights will provide this plan.
Diversity and Inclusion Plan under Executive Order 13583	YES	
Diversity Policy Statement	YES	
Human Capital Strategic Plan	YES	The Departmental Office of Human Resource Management will provide this plan.

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

<b>Did the agency submit the following optional documents?</b>	<b>Please respond Yes or No</b>	<b>Comments</b>
EEO Strategic Plan	NO	
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	YES	FHWA conducts an All-Employee Survey every 2 years in addition to OPM's Federal Employee Viewpoint Survey (FEVS).

**Part E – Executive Summary**

All agencies must complete Part E.1; however, only agencies with 199 or fewer employees in permanent FT/PT appointments are required to complete Part E.2 to E.5. Agencies with 200 or more employees in permanent FT/PT appointments have the option to complete Part E.2 to E.5.

**Part E.1 – Executive Summary: Mission**

The Federal Highway Administration (FHWA) submission of the annual Equal Employment Opportunity Program Status Report for Fiscal Year 2021 (FY 21) Management Directive 715 report and plan was prepared in accordance with the U.S. Equal Employment Opportunity Commission laws and authority governed under Section 717 of the Civil Rights Act of 1964, as amended; and Section 501 of the Rehabilitation Act of 1973, as amended. This report highlights FHWA's accomplishments in establishing and maintaining a model Equal Employment Opportunity (EEO) Program for FY 21.

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

The top-level official of FHWA is the Administrator, who reports directly to the Secretary of DOT. The FHWA organizational structure includes a Washington D.C. Headquarters with 14 program offices, 3 Federal Lands Highway Division Offices, and 52 Federal-aid Division Offices (one in every state, the District of Columbia, and Puerto Rico).

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

**Part E.2 – Executive Summary: Essential Element A – E**

**Element A – Demonstrated Commitment from Agency Leadership**

The FHWA continues to commit to the principles of EEO and maintaining a successful EEO Program. This commitment continues to be demonstrated throughout the Agency's hierarchy



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

from senior executives, managers, and supervisors to all employees. Efforts to demonstrate this commitment include the following:

- Status of the Agency's MD-715 is provided to senior leadership on an annual and ongoing basis.
- Senior leaders support, encourage, and participate in monthly observances and events
- Senior leadership participates in annual training sessions such as Anti-Harassment Training.

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

On February 24, 2021, Stephanie Pollack was named Acting Administrator of FHWA. In this role, Ms. Pollack provides executive leadership and strategic direction within FHWA to advance goals and priorities of the Department, provides direction to a 2,700-person Agency, and oversees an annual budget over \$70 billion.

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

Senior Leadership demonstrates their commitment to advancing a model EEO Program through their participation in FHWA's Diversity Management Committee Women's Forum series, engaging with Employee Resource Groups, participating at the Agency's EEO Virtual Awareness Symposium, setting expectations for the Anti-Harassment Program, supporting Special Emphasis programs, supporting equity based initiatives through the Department, and establishing the Diversity, Equity, Inclusion Officer position within the Agency.

#### **All Employee Survey Updates**

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

The FHWA AES in FY 21 had 2,153 employees who shared their thoughts and provided feedback. FHWA Headquarters led the way with a 97% response rate overall; 36 division offices had a response rate of 90% or above, and 23 of those offices reported at 100%. The number of respondents and participation rates from primary groups in the Agency are shown below.

<b>FHWA Headquarters</b>	627/648	97%
<b>Office of Transportation Workforce Development and Technology</b>	123/145	85%

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

<b>Federal-aid Division Offices</b>	896/963	93%
<b>Federal Lands Highway</b>	486/683	71%

Based on the results of the survey, the Human Resources Management Committee (HRMC) will create an action plan to address lower scoring items. The action plan will include objectives that address the needs across the Agency in different offices. Each objective will have a champion. The HRMC compiles a status of the actions twice a year to present to Agency leadership. The HRMC action plan is released to Agency staff. The HRMC offers listening sessions to increase input on employee concerns.

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

The FY 19-22 FHWA Strategic Plan outlines the preceding Administration’s goals and objectives for FHWA and superseded the previous FHWA Performance Year 2018/19 Strategic Implementation Plan. The FY 19-22 FHWA Strategic Plan was developed to align FHWA efforts with the FY 18-22 DOT Strategic Plan and reflects the priorities of Agency leadership. In the FY 18-22 DOT Strategic Plan, one of the goals was Accountability, which had been adopted from the DOT Strategic Plan:

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

The Agency has determined enterprise activities each year and equity serves as a critical enterprise activity for the Agency. Each unit within the Agency is tasked to develop and implement activities that are centered around incorporating equity into workforce, program delivery, and project management efforts. The FHWA will revamp its Strategic Plan to continue to address equity, diversity, and inclusion. The Agency is expected to publish the FY 22-26 FHWA Strategic Plan in FY 22.

To improve the efficiency and effectiveness of the organization, FHWA/DOT continues to recruit, hire, and retain employees from all segments of American society with the right skills and provide the training and professional development opportunities they need to help DOT successfully achieve its goals and to consider equity in workforce activities.

The Agency conducted a wide variety of programs and activities as outlined in the Unit Performance Plans during the reporting period that reflect leadership commitment:

- The Associate Administrator for the Office of Civil Rights has the authority and resources to effectively deliver a successful EEO Program and leads the day-to-day FHWA Civil Rights operations and reports to the Agency’s Executive Director. The FHWA Office of Civil Rights provides technical guidance in the implementation of EEO programs at the national level including the development of action plans as required by MD-715 and EEOC guidance.
- In our effort to gather disability data, FHWA continued its efforts to resurvey the workforce resulting in an increased number of employees completing the revised Self-Identification of the Workforce Standard Form (SF-256 form). All employees were

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

encouraged to self-identify or update their information using descriptions from OPM's Self-Identification of Disability through their Employee Express system account. All disability codes have been updated in the HR information system, therefore, increasing the Agency's PWD and PWD population.

- FHWA continued to implement FHWA's Anti-Harassment Process.
- FHWA Office of Civil Rights developed a Roadmap in FY 21 and created the FY 22 – 26 Roadmap, a strategic and budgetary plan, to reflect upon the activities to support diversity, equity, inclusion, and accessibility initiatives.
- FHWA promoted programs that engage employee participation in committees that support efforts to improve FHWA as an organization.
- Employees are encouraged in their technical field/discipline to enhance knowledge management throughout the Agency and support closing competency gaps through discipline learning and development.
- TFHWA continues to promote a culture that recognizes employee contributions using informal and formal recognition programs at the local and national level.
- Diverse pipeline recruitment initiatives included the Professional Development Program, Rotational Developmental Assignment Clearinghouse, and expanded Career Development Programs.

### **Element C – Management and Program Accountability**

The FHWA's employees received updated training on EEO, Prevention of Harassment, and Reasonable Accommodations through the FHWA Office of Civil Rights. The FHWA's Office of Civil Rights Website includes details related to Anti-Harassment, EEO, and Prevention of Harassment. It provides an overview of each section, laws, points of contact, and other resources. <https://www.fhwa.dot.gov/civilrights/>.

The Office of Human Resources sponsored a Webinar on Federal Hiring Authorities including providing information on Schedule A hiring authorities on January 13, 2021, for its corporate recruiters.

The Human Resources Employee Relations staff and staff of the Office of Chief Counsel continued to work closely with both the FHWA Civil Rights Disability Program Manager, to support the reasonable accommodations program throughout our workforce, and the Anti-Harassment Coordinator, to respond to complaints of harassment.

### **Reasonable Accommodations and Disability Program**

The FHWA's Disability Program Manager continues to work collaboratively with the Departmental Disability Resource Center to timely process and track reasonable accommodation requests and, additionally, to provide technical assistance and training to managers, supervisors, and team leaders on the Reasonable Accommodation Process.

Several virtual technical assistance sessions were held with FHWA managers and employees during the fiscal year to ensure managers were familiar with the policies and procedures. In February 2021, a memo was distributed to all employees informing them of a guidance document for accessible virtual events for individuals with disabilities

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

In recognition of DOT's FY 21 National Disability Employment Awareness Month, FHWA sponsored webinars on Assistive Technology and Section 508. More than 60 Managers/Supervisors participated in the Webinar.

**Religious Accommodations**

The Office of Civil Rights worked with the Departmental Office of Civil Rights to develop policy documents and training on religious accommodations. This effort continues in FY 22.

**Accessibility and 508 Compliance**

The Agency held several training sessions in July 2021 with the disability community to establish a long term contract for relay conference captioning. The FHWA conducted a market research and identified entities who were qualified to provide the service. Final contract details were worked out in FY 22.

The Agency held over 42 sessions for employees and managers in the area of 508 compliance from June to November 2021.

**Special Emphasis Programs**

The FHWA Office of Civil Rights continues to utilize Special Emphasis Programs and engages with Employee Resource Groups to increase employees' awareness of the importance of diversity and to demonstrate the Agency's commitment as a model EEO workplace. The Agency has continued to host a series of Webinars that were intended to educate the workforce about the different Employee Resource Groups within the Agency.

In FY 21, FHWA leadership championed, and the FHWA Office of Civil Rights disseminated, positive messaging recognizing and honoring monthly observances and virtually hosted, with the support of Employee Resource Groups, the following DOT Special Emphasis Program Events:

- African American History Month: On February 25, 2021, an outreach session was held for college students and FHWA employees on ***Driving Power Connection with a New Generation***.
- Women's History Month: In honor of 2021 Women's History Month, a dynamic ***Women in Transportation*** panel discussion on Experiences & Challenges of Women in the Workplace was held and a presentation was provided on ***Women Representation in the FHWA Workforce: 80's and Beyond on March 18, 2021***. Additionally, the Office of Civil Rights held focus group discussion throughout March and April 2021 to initiate conversations with women employees within the FHWA to provide an opportunity for women to voice their concerns with challenges and deficiencies within our organization as well as to recommend strategies to improve recruitment, hiring, training/development, promotions, and separation disparities as they relate to women.
- Asian American and Pacific Islander Heritage Month: On May 26, 2021, the FHWA Office of Civil Rights invited FHWA employees to participate in the 2021 virtual DOT, 2020 Asian American and Pacific Islander Heritage Month panel discussion with employees within FHWA, Federal Transit Administration as well as the Chair from DOT's Asian Pacific Employees Council ERG on celebration ***Advancing Leaders Through Purpose-Driven Service***.

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

- Lesbian, Gay, Bisexual, Transgender and Queer+ Pride Month: Pride month event ***“You Are Included”*** was held on June 29, 2021. We also had Mahri Monson, a Federal LGBTQ+ employee resource group leader who also works in OPM’s Office of Diversity, Equity, Inclusion and Accessibility deliver a presentation on gender inclusivity. The workshop provided background on why employees should care about being inclusive of our gender non-binary and transgender colleagues. Research shows we learn best by doing, so the workshop included several opportunities for practicing their new skills in a small group setting. Participants walked away with greater understanding of gender inclusivity, an enhanced vocabulary, and concrete steps to take right away to contribute to increased inclusion in our organization.
- Hispanic Heritage Month: On September 30, 2021, the FHWA employee resource group named the Assist, Motivate, Integrate, Guide and Orient (A.M.I.G.O.) Workgroup and the Office of Civil Rights hosted a Networking Event titled ***“Esperanza: A Celebration of Hispanic Heritage and Hope.”*** The event highlighted the AMIGO workgroup, Agency Hispanic initiatives, introduced Agency leadership with Hispanic backgrounds, and celebrated Hispanic culture through trivia, sharing stories, and recipes.
- National American Indian Heritage Month: On November 23, 2021, an event titled ***“Together Towards Tomorrow”*** was arranged by the FHWA’s Office of Tribal Transportation on the Tribal Transportation Program and the importance of this office when it comes to partnering with Tribal Nations. In addition, we had a guest speaker, Maiya Rainer from California State Parks, share historical information on the Yurok people in North Coast, California as well as share her lived experiences.

#### **Prevention of Harassment Program (Anti-Harassment)**

The Agency held four all employee sessions on Respectful Workplace and four sessions on Leading for Respect (managers only). These sessions were part of the 2021 annual Prevention of Harassment training and both trainings were offered through Microsoft Teams to allow for virtual participation.

#### **Targeted Recruitment and Outreach Efforts**

In FY 21, the FHWA has continued to build upon the revamped Corporate Recruitment efforts to address the low representation of women, Hispanic women, and individuals with disabilities in the FHWA workforce. The FHWA attended recruitment and outreach events designed to provide access to targeted audiences from these populations and other groups with low participation rates. The events included the following:

- 118 virtual career fairs with universities and organizations
- 16 virtual career fairs hosted by Historically Black Colleges and Universities (HBCU)
- 18 virtual career fairs hosted by Hispanic Serving Institutions (HSI)
- 9 virtual career fairs targeting female professionals
- 7 virtual career fairs targeting persons with disabilities
- 5 virtual career fairs targeting military and veterans

The FHWA utilized a variety of recruitment resources, including online services; job postings; social media; the Workforce Recruitment Program Database; OPM Shared List of People with Disabilities Database; state and local vocational rehabilitation agencies and employment offices; educational institutions, colleges, and universities; USAJOBS; and the USAJobs Agency Talent

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

Portal to attract people with disabilities to FHWA job opportunities. The FHWA's Office of Human Resources also partnered with groups and employees throughout the Agency to deliver virtual employment workshops to the public to educate them about the Agency and attract prospective candidates to apply to open announcements. The FHWA vacancy announcements continue to be marketed on free recruitment sites to increase the visibility in those specific communities.

**Education/Outreach on Schedule A**

The FHWA's Office of Human Resources hosted several one-on-one consultative sessions with hiring managers to discuss various staffing and recruitment initiatives which included different hiring authorities. Staffing specialists continue to educate hiring managers on special hiring authorities while developing recruitment packages.

The Office of Civil Rights offered employee webinars on Schedule A hiring authorities and other topics such as the Reasonable Accommodation process that increased the awareness of actions Federal hiring managers could take to increase and maintain a diverse workforce within the Agency.

**Addressing Generational Diversity**

The FHWA continues to employ an advisory group called the Innovation Exchange (iExchange), a multi-generational forum focused on exchanging ideas and inspiring innovation. While promoting and facilitating generational diversity, the iExchange creates an environment that welcomes members and encourages the overall diversity of the Agency. Sponsored by the Knowledge Management (KM) unit, the iExchange expanded its membership to over 250 employees. Over the course of FY 21, the advisory group held a virtual speed networking event and continued to work with FHWA offices, committees, and councils to provide ideas and a fresh perspective.

**Element D – Proactive Prevention of Unlawful Discrimination**

Throughout FY 21, the Office of Civil Rights' Anti-Harassment, EEO, and Reasonable Accommodations Program Managers coordinated and conducted a series of virtual Anti-Harassment, EEO, and Reasonable Accommodations training sessions to FHWA offices.

The training sessions' aim was to ensure employees were familiar with the anti-harassment, EEO, and Reasonable Accommodation processes within FHWA. The virtual training sessions were well received and future plans to expand the sessions to cover all FHWA offices is currently in the works for FY 22.

Since the December 18, 2019 rollout of the final FHWA Anti-Harassment Process to comply with the DOT Policy Framework, the Agency continues to perform regular outreach to employees and managers on the Anti-Harassment Process. On March 12, 2021, information on the Anti-Harassment Process was part of the civil rights session that the Office of Civil Rights hosted for all field leaders. This training was geared towards Division Administrators and Deputy Division Administrators so that they understand the process. FHWA has revamped the Agency's website and updated the current process

<https://www.fhwa.dot.gov/civilrights/programs/AntiHarassment/resources.cfm>.

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

In February 23 – 25, 2021, the Agency hosted its first annual EEO symposium. During this symposium, there were two sessions on Prevention of Harassment topics for all employees. These sessions were as follows:

- Which Lane Are You In? Panel - Session providing an overview of the Anti-Harassment, EEO, Reasonable Accommodation, Grievance, and ADR paths that an employee may take to address workplace concerns.
- Fearless Communication - How Psychological Safety Improves Conversations.

On May 13, 2021, the Agency hosted a training called “What Happens Next after an Anti-Harassment Complaint in a Workplace?”. This session was held for managers only and the presenters were from the Departmental Office of Civil Rights.

The Office of Civil Rights and the Office of Human Resources partnered to provide training on the Alternate Dispute Resolution, Anti-harassment, EEO, and Employee Relations processes during the February 2021 EEO Virtual Awareness Symposium.

#### **Diversity Management Committee**

The FHWA continued to utilize its 19-member Diversity Management Committee (DMC or committee) to cultivate and advance several initiatives designed to improve organizational culture and raise awareness on the importance of having a diverse and inclusive organization.

Furthermore, the committee collaborated with HR to develop a Diversity Hiring Guide for Hiring Managers. The Diversity Hiring Guide for Hiring Managers offers consolidated tactics and strategies that can work to reduce the effects of bias throughout the planning, recruitment, evaluation, and selection process.

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

With the Agency’s diversity education goals in mind, the DMC also identified several training modules available in DOT Learns that teach the principles of diversity and inclusion. The committee was able to identify two modules that address diversity and the benefits of inclusion, while providing a better understanding of how unconscious bias can undermine our efforts to be inclusive. The FHWA added the courses to all employees’ DOT Learns learning plans and encouraged them to take the courses. Nearly a third of our workforce have taken one or more of the training modules.

In an effort to improve cultural awareness, the DMC also created a monthly Diversity Awareness newsletter which highlights a wide range of observances and traditions that acknowledge unique segments of our population. Furthermore, the DMC decided to build from last year’s effort to

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capture all of the Departmental Employee Resource Groups within a distribution list and added the listing to the New Employee Orientation Program.

The DMC also continued its role in conducting diversity presentations at a large number of requesting program offices. In a year marked by one of the greatest social justice movements in history, the DMC and its Diversity Program Manager conducted 14 conversations centered around race. Three of the sessions were Agency-wide corporate sessions that garnered attendee counts ranging from 250 to 300 employees.

**Element E – Efficiency**

In FY 21, FHWA timely submitted to the EEOC the Annual Federal EEO Statistical Report of Discrimination Complaints (EEOC Form 462) and the Annual Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act) report. Furthermore, FHWA submitted its annual FEEORP to OPM in December 2021.

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

**Element F – Responsiveness and Legal Compliance**

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

**Part E.3 – Executive Summary: Workforce Analyses**

As of September 30, 2021, FHWA onboard strength showed a total of 2,726 employees, of whom 2,722 were permanent employees and 4 were temporary employees.

The FHWA is starting to see improvements in targeted areas. In FY 21, FHWA exceeded its goal of 12% of hires of PWD and its 2% goal of PWTD onboard. In FY21, approximately 17.28% of all new hires were PWD, and 3.09% were PWTD. Overall, PWTD comprise 2.93% of the total FHWA workforce, which was slightly higher than the 2.75% reported for FY 20 (This number includes hires from other DOT modes, and therefore is not demonstrated by the workforce tables).

Veterans with 30% or more disability represent 6.8% of all hires and make up 3.85% of the total workforce.

The FHWA reports out the following regarding the overall diversity of its workforce between FY 10 and FY 21:

(1) Hispanics in FHWA's permanent workforce had a slight increase from 8.95% to 9.55% this included 3.38% Hispanic females and 6.17% Hispanic males



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(2) Black or African Americans in the permanent workforce had a slight increase from 15.06% to 15.69%; this included 8.82% Black or African American females and 6.87% African American males

(3) PWD had a slight increase from 10.78% to 11.57% of the FHWA permanent workforce.

(4) PWTD had a slight decrease from 3.06% to 2.90% of the FHWA permanent workforce.

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

Although FHWA continues to be successful in its efforts to diversify its workforce, the representation of persons with disabilities and female populations remains areas where FHWA is continuing to focus its efforts. In addition, FHWA will look to dive deeper into the workforce analysis in relation to hiring rate and separation rates of FHWA employees based upon race, gender, ethnicity, and disability demographics. These areas of improvement have been included in Part H and I of this report.

**Workforce Analysis Trends:**

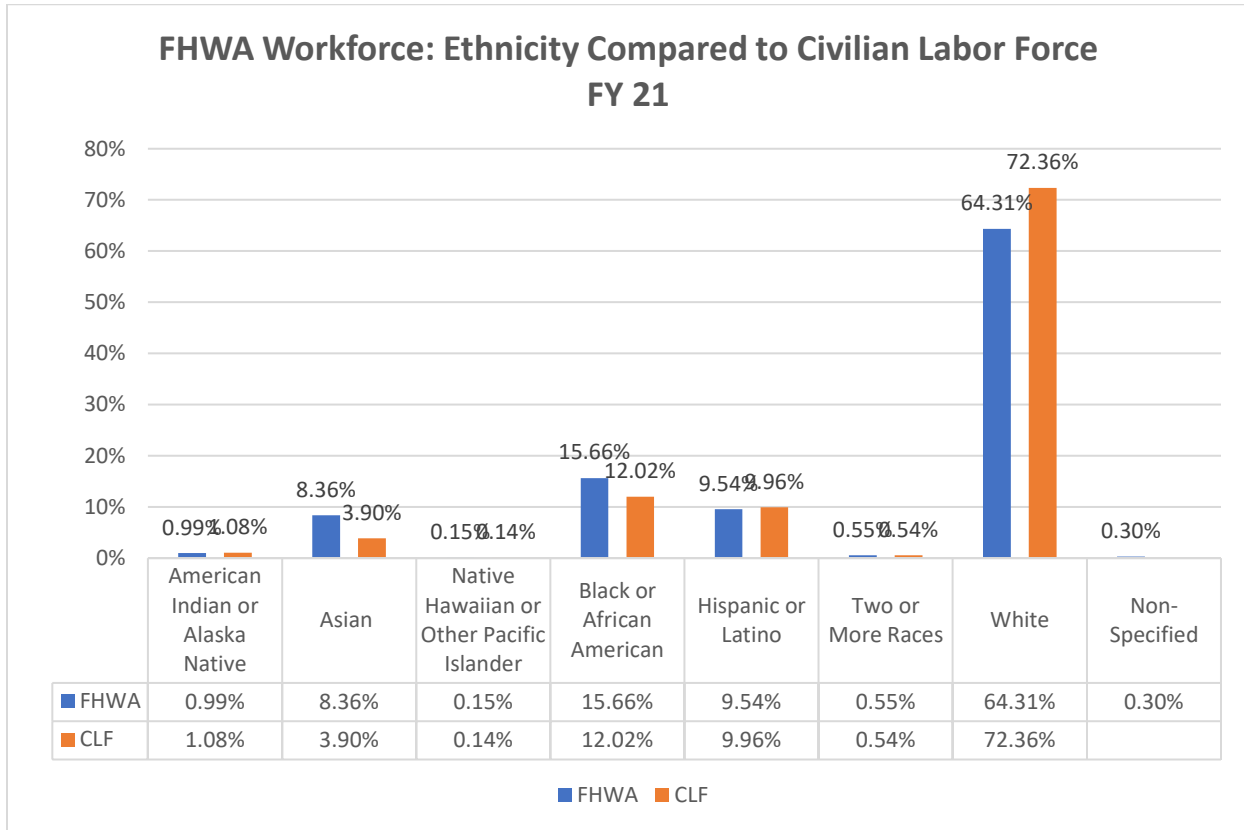
<b>RNO</b>	<b>FY 18</b>	<b>FY 19</b>	<b>FY 20</b>	<b>FY 21</b>	<b>2010 CLF</b>	<b>2014-2018 CLF</b>
<b>Male</b>	<b>62.88% (1684)</b>	<b>62.58% (1679)</b>	<b>62.78% (1737)</b>	<b>62.29% (1698)</b>	<b>51.84%</b>	<b>51.79%</b>
<b>Female</b>	<b>37.12% (994)</b>	<b>37.42% (1004)</b>	<b>37.22% (1030)</b>	<b>37.71% (1028)</b>	<b>48.16%</b>	<b>48.21%</b>

In reviewing the FY 21 workforce tables Table B4P analyzing whether FHWA met EEOC's 2% and 12% goal onboarding Persons with Disabilities and Persons with Targeted Disabilities at the GS-1-10 and GS11-SES levels the following information was captured:

<b><u>Grade Level</u></b>	<b><u>Person with Disabilities (12%)</u></b>	<b><u>Person with Targeted Disabilities (2%)</u></b>
<b>GS 1-10</b>	<b>18.45%</b>	<b>6.64%</b>
<b>GS 11-SES</b>	<b>10.81%</b>	<b>2.49%</b>

**The FHWA's FY 21 Ethnicity as it compares to the Civilian Labor Force:**

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**FY 21 FHWA Total Workforce - Distribution by Race/Ethnicity and Sex (Table A1)**

**FHWA Total Workforce - Distribution by Disability (Table B1)** The following groups have participation rates that are above or equal to the 2010 CLF: The Hispanic Males CLF has increased from 2010 CLF to 2014-2018 CLF. It is noted that there is less than 1% difference between the benchmark (2014-2018 CLF) and FY 21 participation rates for Hispanic Males (6.16%), Two or More Races Males (0.40%), and Two or More Races Females (0.59%).

RNO/Disability	FY 18	FY 19	FY 20	FY 21	2010 CLF	2014-2018 CLF
White Males	45.37%	44.63%	44.24%	42.88%	38.33%	35.65%
Hispanic Males	5.23%	5.50%	5.75%	6.16%	5.17%	6.82%
Black or African American Males	6.20%	6.28%	6.76%	6.86%	5.49%	5.70%
Black or African American Females	8.81%	8.74%	8.78%	8.80%	6.53%	6.61%
Asian Males	5.19%	5.32%	5.17%	5.39%	1.97%	2.19%
Asian Females	2.50%	2.68%	2.86%	2.97%	1.93%	2.18%
Native Hawaiian or Other Pacific Islander Males	0.15%	0.11%	0.11%	0.11%	0.07%	0.08%
Two or More Races Males	0.15%	0.19%	0.25%	0.40%	0.26%	1.05%
Two or More Races Females	0.37%	0.52%	0.51%	0.59%	0.28%	1.05%

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RNO/Disability	FY 18	FY 19	FY 20	FY 21	2010 CLF	2014-2018 CLF
Persons with Targeted Disabilities*	2.88%	3.05%	2.75%	2.93%	2.00%	(501 Goal)

\*Note: For Persons with Targeted Disabilities utilize the 501 Goal and not the CLF as the benchmark.

**FHWA Total Workforce - Distribution by Race/Ethnicity and Sex (Table A1)**

**FHWA Total Workforce - Distribution by Disability (Table B1)** The following groups have a lower participation rate than the expected 2010 CLF: The White Females gap is 12.61% from the 2010 CLF making White Females the largest gap followed by Hispanic Females (1.42% from the 2010 CLF) and PWD (0.37% from the 2010 CLF).

RNO/Disability	FY 18	FY 19	FY 20	FY 21	2010 CLF	2014 - 2018 CLF
White Females	21.66%	21.53%	21.03%	21.42%	34.03%	31.82%
Hispanic Females	3.25%	3.42%	3.54%	3.37%	4.79%	6.16%
Native Hawaiian or Pacific Islander Female	0.04%	0.04%	0.00%	0.04%	0.07%	0.08%
American Indian or Alaska Native Females	0.41%	0.52%	0.51%	0.51%	0.53%	0.31%
American Indian or Alaska Native Males	0.52%	0.52%	0.51%	0.48%	0.55%	0.31%
Persons with Disabilities*	9.97%	10.78%	10.84%	11.63%	12.00%	(501 Goal)

\*Note: For Persons with Targeted Disabilities utilize the 501 Goal and not the CLF as the benchmark.

**FHWA Total Workforce: Women Overall and Hispanic Women: Hiring and Separation.**

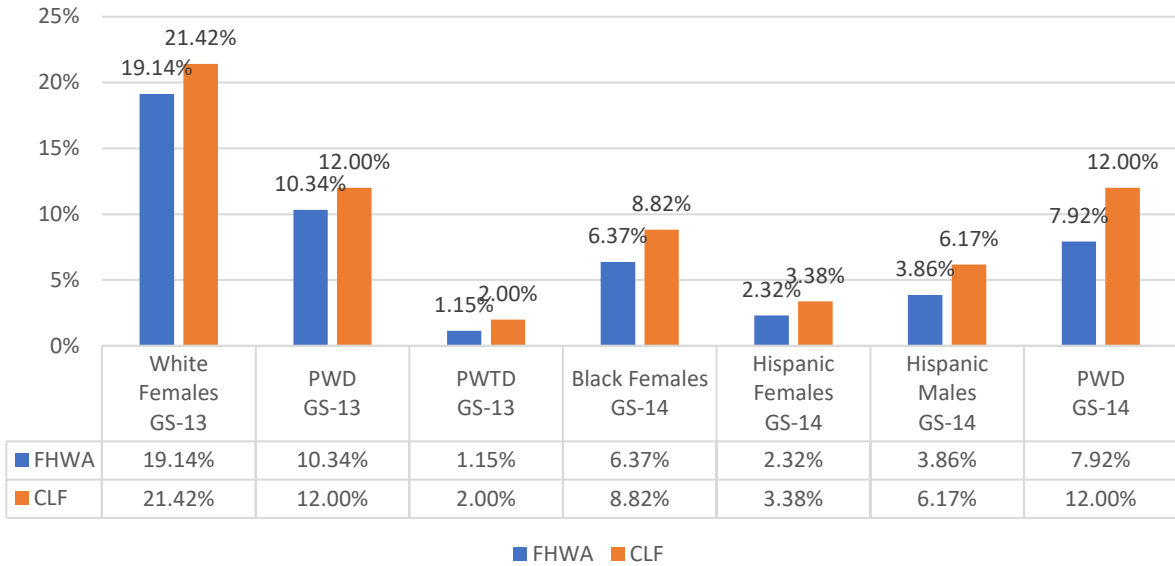
The hiring rate of Hispanic females is trending down. Also, in FY 21 the separation rate of Hispanic women is higher than both the hiring rate and the total workforce of Hispanic women within FY 21.

Workforce Indicators	Females			Hispanic Females		
	FY 19	FY 20	FY 21	FY 19	FY 20	FY 21
Total Workforce (A1)	37.45%	37.22%	37.71%	3.42%	3.54%	3.37%
2014- 2018 Civilian Labor Force (A1)	48.21%			6.16%		
Hiring Rate (A1)	43.91%	36.79%	42.59%	4.78%	4.01%	0.62%
Separation Rate (A1)	41.82%	38.81%	34.30%	1.82%	2.28%	3.38%

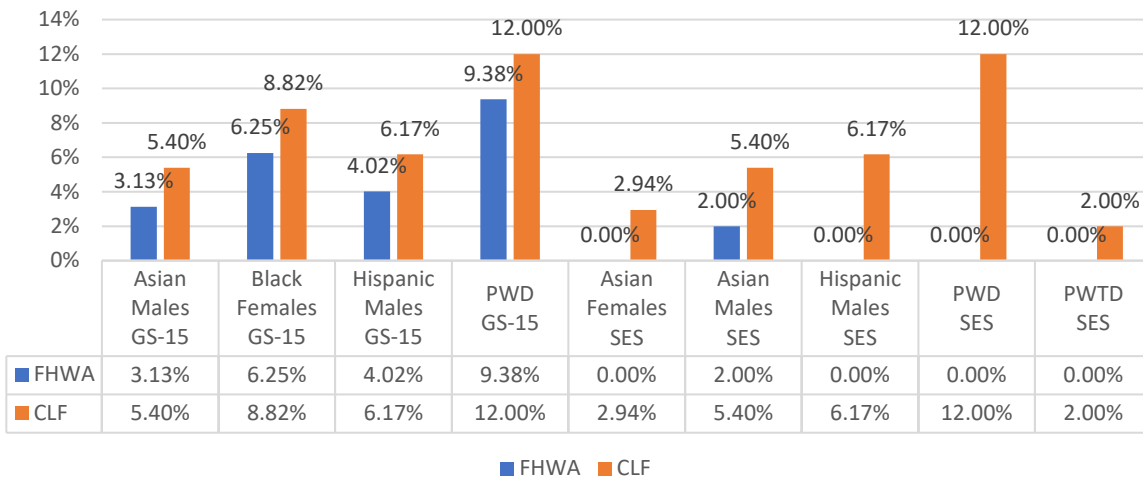
**Barrier Analysis Tables (FHWA Leadership Pipeline Analysis: GS 13 – SES) - See Part I for results.**

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**Leadership Pipeline: GS 13 - GS 14**  
**(Groups Below Benchmark)**

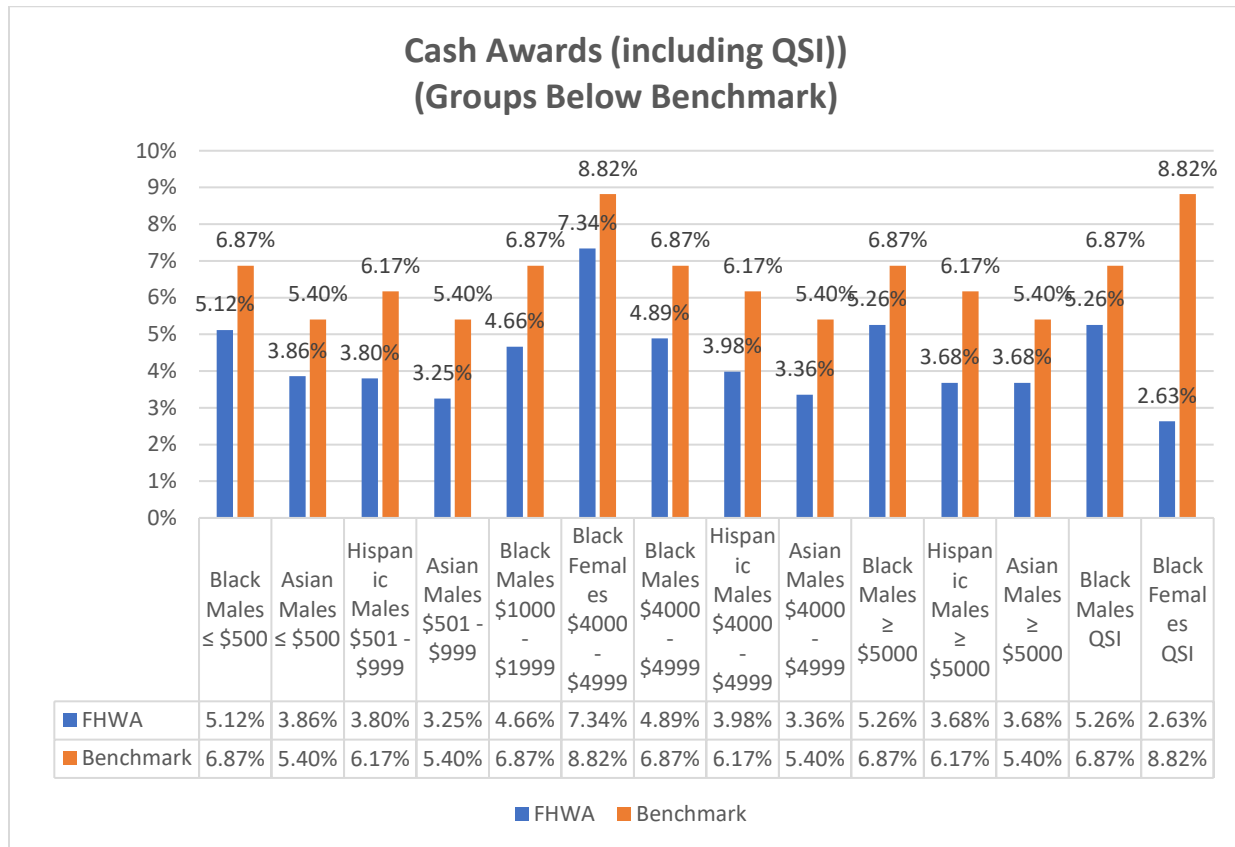


**Leadership Pipeline: GS 15 - SES**  
**(Groups Below Benchmark)**



**Barrier Analysis Tables (Awards) – The tables below demonstrate the analysis that was performed comparing the FHWA Workforce to the benchmarks.**

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**FHWA EEO Complaints Trends:**

Over the past five years, from FY 17 to FY 21, the informal/pre-complaint and formal complaint filings ebbed and flowed.

FY	Informal	Formal
2017	15	5
2018	11	11
2019	12	8
2020	15	14
2021	11	8

**Top Five Issues Complaint Trends:**

Top Five Issues	FY 17	FY 18	FY 19	FY 20	FY 21
Harassment	3 (Non-Sexual)	10 (Non-Sexual)	7 (Non-Sexual)	10 (Non-Sexual)	6 (5-Non-Sexual, 1-Sexual)
Reasonable Accommodation	3	5	2	4	

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Top Five Issues	FY 17	FY 18	FY 19	FY 20	FY 21
Disciplinary Action	2	5		5	3 (1-reprimand, 1-suspension, 1-discipline warning)
Assignment of Duties		3			2
Pay (Including overtime)		3			
Promotion/Non-Selection			2	5	2
Performance Appraisal/Evaluation	2		2	5	3
Time and Attendance			2		2
Training			2		

\*For FY 21, assignment of duties, promotion/non-selection, and time and attendance have the same number of complaints identifying these employment issues.

**Anti-Harassment Trends:**

**Anti-Harassment cases identified from FY18 to FY21.**

Fiscal Year	Number of Anti-Harassment Cases
2018	2
2019	3
2020	10
2021	12

\*Note: The Agency transitioned out of the pilot to a permanent process in FY 20: therefore, this may explain the increase in FY 20 and FY 21.

**Part E.4 – Executive Summary: Accomplishments**

The FHWA makes EEO principles a fundamental part of its culture. Below is a summary of FHWA's FY 21 accomplishments under the six essential elements 1) demonstrated commitment to EEO, 2) integration of EEO into DOT's strategic mission, 3) management and program accountability, 4) proactive prevention of unlawful discrimination, 5) efficiency and responsiveness, and 6) legal compliance:

- In FY 21, FHWA revamped its Organizational Manual to reflect the Administration's priorities in relation to diversity, equity, inclusion, and accessibility.
- In FY 21, Office of Civil Rights had 10 ancillary duty staff serving as Fact Finders within the Anti-Harassment Process. All new and experienced Anti-Harassment Fact Finders received the 32-hour Workplace Investigator's training in FY 21. The training was attended by Fact Finders, Employee Relations staff, and the Office of Chief Counsel staff.
- In FY 21, FHWA was recognized as a 2021 Top Supporter of HBCU's by US Black Engineer & Information Technology Magazine.
- In FY 21, FHWA hired 3.14% of people with targeted disabilities for the permanent workforce which was an increase from its FY 20 record of 2.72% hires.

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- In FY 21, FHWA had three Schedule A Hires for Persons with Disabilities.
- In FY 21, FHWA had one Schedule A Hire for Persons with Targeted Disabilities.
- In FY 21, FHWA initiated the Emerging Leaders Externship Program. This pilot program is geared towards HBCU college students and provides 6-week professional development training in the area of mentoring, resume, and career outreach.
- In July 2021, FHWA drafted Reasonable Accommodations procedures to comply with the DOT Order 1101.1B. The procedures outline roles and responsibilities of Agency supervisors, Disability Program Manager, and established the Designated Disability Advisory Team.
- In FY 21, FHWA developed an Accessibility Memo to outline roles and responsibilities of event organizers in the reasonable accommodation process. Training was provided to the Office of Safety, Office of Operations, and Office of Policy to provide insight on the memo.
- In FY 21, FHWA hosted an online virtual series of Prevention of Harassment training sessions with the topic centered around Respect in the Workplace. A total of eight sessions were held with approximately 300 FHWA employees participating in the sessions.
- FHWA had no findings of discrimination by the Equal Employment Opportunity Commission, the Merit Systems Protection Board, or the District Court in FY 21.
- Agency employees are educated and encouraged to participate in one or more of the 25 DOT Employee Resource Groups (ERGs).
- For ERGs where FHWA employees serve in a leadership capacity, the following activities have been highlighted:

**African American Leaders in Transportation (AALT)**

- African American Leaders in Transportation (AALT) completed their charter that provides a basic overview of AALT's goals, mission, and structure. AALT's membership grew to over 130 members.
- AALT met with Secretary Pete Buttigieg and the OST Office of Civil Rights to provide an introduction on FHWA's AALT and its mission.
- AALT reorganized the AALT structure, merging/creating the following committees: Recruitment, Professional Development/Mentoring, Succession Planning and Communications.
- AALT completed a White Paper titled "Enhancing Competition for Leadership Rotational Assignments"
- AALT held three Webinars:
  - **Driving a Power Connection to the next Generation.** Recruitment event to assist college students with their transition to the professional world.
  - **Trailblazing your own path in FHWA.** This Webinar provided information on how to prepare for your next role in FHWA.
  - **Political Savvy Workshop.** This Webinar provided techniques for successful communications as a leader and as a peer.
- AALT participated in the Office of Civil Rights EEO Symposium. During that event AALT provided an overview of the organization for staff and coordinated a special session for college students.

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**Hispanic Engagement Initiative/AMIGO Affinity Group**

- **Operations:** Updated the Hispanic Outreach Roster (list of Amigo Volunteers, Amigo Recruiters list, Amigo Mentors list, etc.) and established the FHWA AMIGO Networking Outlook Email Distribution List and the AMIGO Teams Channel.
- **Networking subcommittee:** Hosted two networking events (May 5 – Cinco de Mayo and September 30 – National Hispanic Heritage Month – focus was on mentoring and learning from FHWA Hispanic leaders). The Cinco de Mayo event had over 50 participants. The Hispanic Heritage event had several hundred as this was open to all USDOT.
- **Mentoring subcommittee:** Developed a preliminary list of Hispanic leaders in the Agency that could serve as mentors. The next step will be to reach out to these individuals and see if they are interested in serving as mentors. Once the list is refined, the names will be shared with the AMIGO community. The group committee ask the community if anyone else is interested in becoming a mentor or a mentee and begin to make connections. The committee will also be developing strategies for mentoring activities once the connections are made.
- **Recruitment Subcommittee:** Continuous coordination with HQ recruitment to participate in recruitment efforts, including virtual career fairs, and university presentations.
  - Attended 14 virtual career fairs to assist with recruitment in FY 21
  - Virtual Presentation for the University of Texas at El Paso Engineering Student Leadership Council.
  - Attended the Florida International University Federal Government conference in July 2021. The committee were part of the 46 Federal agencies and 1,300 students and alumni that were in attendance.
  - Met with Hispanic Association of Colleagues and Universities (HACU) representatives to find engagement opportunities. Activities are currently being coordinated with FHWA HR.
  - As requested by Division DAs and DDAs who want to increase Hispanic representation in their offices, internal FHWA vacancies announcements are shared through the AMIGO Teams channel and with USDOT's Hispanics in Transportation (HIT).
  - Developed a one-page FHWA talking points document with links to our application sites that can be used during virtual career fairs.

**Part E.5 – Executive Summary: Planned Activities**

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

**Strategic Planning & Agency Initiatives**

- FHWA is developing a new Strategic Plan for FY 22-26. The new Strategic Plan includes equity, which elevates diversity, equity, inclusion, and accessibility, and will also incorporate measures and strategic objectives.



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- FHWA will continue to roll out joint technical assistance and training on EEO, Reasonable Accommodations, Anti- Harassment, and Diversity & Inclusion to program and field offices. As well as support the Department's DEIA Strategic Plan.
- FHWA will continue to partner within DOT to recognize and identify monthly observances and host various events to educate employees on cultural differences, accomplishments, and contributions.
- FHWA's goal is to have a Diversity Champion for each work unit, and the DMC will continue in its recruitment of new members as existing members rotate off. As new Champions and Committee members are added the DMC will sponsor an onboarding training.
- In response to and in consideration of Executive Order 14035, FHWA has hired a new Chief DEI Officer. Starting in FY 22, the Chief DEI Officer will work with interagency leadership and partners to develop strategies to ensure that diversity, equity, and inclusion are integrated into and contribute to the FHWA's overall mission and strategic goals.
- In FY 22, FHWA enhanced its workforce analysis on participation rates for permanent workforce (i.e., senior grade level, compensation and awards, management positions) through utilizing the FY 21 Barrier Analysis team.

**Recruitment, Hiring, & Outreach Efforts**

- FHWA plans to continue to focus its recruitment efforts to support targeted outreach to increase the number of women and Hispanic women. As well as persons with targeted disabilities at all grade levels. By continuing efforts through career fairs and outreach events as well as targeted email campaigns and social media groups.
- FHWA will continue to create an inclusive organizational environment by performing outreach and remaining in close contact in working with our recruitment partners from various associations and organizations that target or serve underrepresented groups, and schools with targeted populations to tap into a diversified applicant pool for all job vacancies while working with these organizations to ensure the success of our recruitment program.
- FHWA will aim to continue its partnership with universities with a large disability population to provide mock interview experiences for students who may be seeking employment opportunities within FHWA's pipeline programs.
- FHWA will continue to examine and review its recruitment and hiring practices to further identify if there are barriers to underrepresented groups, particularly within the seven mission critical occupations.
- FHWA will continue to be proactive in its efforts to market the Summer Transportation Internship Program for Diverse Groups (STIPDG), Pathways Program, Dwight D. Eisenhower Fellowship Program as well as the Professional Development Program (PDP) amongst colleges and universities.

**Training & Program Awareness Efforts**

- FHWA Virtual EEO Awareness Symposium planned for FY 22. The symposium's purpose is to educate FHWA Management and Staff with a focus on EEO, Conflict Resolution, Prevention of Harassment, and Effective Communication. The first annual symposium was held over a 3-day time span from February 22-25, 2021.

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- FHWA will continue to identify new resources and programs for hiring managers that highlight how to find diverse pools of talent for FHWA vacancy announcements as well as how to communicate vacancy announcements to those diverse talent pools.
- FHWA developed and distributed a “Diversity Hiring Guide” for hiring managers. This guide provides recommendations that aim to mitigate bias and offers resources that help broaden applicant pools for job vacancies. The guide also makes diverse resume review panels and interview panels a standard practice. In FY 22, the Agency will have a session at the EEO Virtual Awareness Symposium that is centered around the Diversity Hiring Guide. The FHWA Strategic Plan for FY 22-26 will include opportunities for DEIA training for Agency staff.
- In partnership with the DOT Disability Resource Center, FHWA will offer education and training about the DOT Disability Resource Center and how its services benefit FHWA’s workforce.
- The Office of Administration will offer Unconscious Bias training for all managers and supervisors. This 2.5-hour instructor-led online course is designed to give Managers/Supervisors an introductory overview of Unconscious Bias including: Identifying Bias, Learning the impacts of bias on performance and Discovering techniques for cultivation connection.
- The FHWA Office of Civil Rights will develop a deliverable spreadsheet to modify the approach to training for all managers and supervisors in the areas of EEO, ADR, Prevention of Harassment Training, and Reasonable Accommodations.

**Policy & Procedure Updates**

FHWA developed a draft Reasonable Accommodations Procedures and developed a draft Handbook that will be a tool for Managers to understand their role and responsibilities. The FHWA Office of Civil Rights also drafted checklists, sample letters, and one-page summaries for managers and employees. These resources were reevaluated based upon the new Departmental DOT Reasonable Accommodation Order. The plan is to issue the final version in FY 22.

**CERTIFICATION of ESTABLISHMENT of CONTINUING  
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**

I, Irene Rico, Associate Administrator for Civil Rights am the

(Insert name above)

(Insert official  
title/series/grade above)

Principal EEO Director/Official for

Federal Highway Administration

(Insert Agency/Component Name above)

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

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

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

**IRENE RICO**

Digitally signed by IRENE RICO  
Date: 2022.08.18 17:30:08  
-04'00'

8/18/2022

Signature of Principal EEO Director/Official

Date

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



August 30, 2022

Signature of Agency Head or Agency Head Designee

Date

**MD-715 - PART G**  
**Agency Self-Assessment Checklist**

**Essential Element A: Demonstrated Commitment from Agency Leadership**

This element requires the agency head to communicate a commitment to equal employment opportunity and a discrimination-free workplace.

<b>Measures</b>	<b>Compliance Indicator</b> <b>A.1 - The agency issues an effective, up-to-date EEO policy statement.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>A.1.a</b>	Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	YES	The Departmental Office of Civil Rights issued the annual DOT EEO Policy statements dated March 29, 2021 on behalf of the Department.	A.1.a.2
<b>A.1.b</b>	Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)]	YES		New

<b>Measures</b>	<b>Compliance Indicator</b> <b>A.2 - The agency has communicated EEO policies and procedures to all employees.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>A.2.a</b>	Does the agency disseminate the following policies and procedures to all employees:			
<b>A.2.a.1</b>	Anti-harassment policy? [see MD 715, II(A)]	YES	All existing employees have been provided a copy of the AH policy and an initiative is underway to provide additional tools to ensure new employees receive FHWA's specific policies and procedures.	New

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<b>Measures</b>	<b>Compliance Indicator</b> <b>A.2 - The agency has communicated EEO policies and procedures to all employees.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>A.2.a.2</b>	Reasonable accommodation procedures? [see 29 C.F.R § 1614.203(d)(3)]	YES	FHWA uses the Department's Reasonable Accommodation Policy	New
<b>A.2.b</b>	Does the agency prominently post the following information throughout the workplace and on its public website:			
<b>A.2.b.1</b>	The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	YES	<a href="https://www.fhwa.dot.gov/civilrights/programs/eo/">https://www.fhwa.dot.gov/civilrights/programs/eo/</a>	New
<b>A.2.b.2</b>	Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 C.F.R § 1614.102(b)(5)]	YES	<a href="https://www.fhwa.dot.gov/civilrights/programs/eo/">https://www.fhwa.dot.gov/civilrights/programs/eo/</a>	A.2.c
<b>A.2.b.3</b>	Reasonable accommodation procedures? [see 29 C.F.R. § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	YES	<a href="https://fhwa.dot.gov/civilrights/programs/disability/resources.cfm">https://fhwa.dot.gov/civilrights/programs/disability/resources.cfm</a>	A.3.c
<b>A.2.c</b>	Does the agency inform its employees about the following topics:			
<b>A.2.c.1</b>	EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often.	YES	Annually	A.2.a
<b>A.2.c.2</b>	ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	YES	Annually	New
<b>A.2.c.3</b>	Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	YES	Annually	New
<b>A.2.c.4</b>	Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.	YES	Annually	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>A.2 - The agency has communicated EEO policies and procedures to all employees.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>A.2.c.5</b>	Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR § 2635.101(b)] If "yes", please provide how often.	YES	Annually	A.3.b

<b>Measures</b>	<b>Compliance Indicator</b> <b>A.3 - The agency assesses and ensures EEO principles are part of its culture.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Compliance Indicator</b>	<b>Current Part G Questions</b>
<b>A.3.a</b>	Does the agency provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a) (9)] If "yes", provide one or two examples in the comments section.	YES	The Agency has a Superior Achievement Award to honor employees that have made significant achievements in support of the EEO program. The Agency established a Diversity & Inclusion award in 2017, and it is part of the Administrator's Awards Program. The Department also has a Secretary's Awards Program. There is a Secretary's Award for Meritorious Achievement and the EEO/Affirmative Action Award which recognizes employees for contributions to the DOT's Equal Employment Opportunity (EEO) Program of an outstanding and distinctive nature. FHWA employees have consistently been nominated for those honors.	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>A.3 - The agency assesses and ensures EEO principles are part of its culture.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Compliance Indicator</b>	<b>Current Part G Questions</b>
<b>A.3.b</b>	Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]	YES	Annually for FEVS and every two years for FHWA's All Employee Survey	New

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

**This element requires that the agency's EEO programs are structured to maintain a workplace that is free from discrimination and support the agency's strategic mission.**

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.1 - The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>B.1.a</b>	Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	NO	The Associate Administrator for Civil Rights Reports to the Agency Executive Director who is the Agency's top career employee.	B.1.a
<b>B.1.a.1</b>	If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.	YES	The Associate Administrator for Civil Rights reports to the Executive Director. All Associate Administrators for all program offices in FHWA report to the Executive Director. The Executive Director is responsible for all workforce matters in the Agency.	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.1 - The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>B.1.a.2</b>	Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	YES		B.1.d
<b>B.1.b</b>	Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency, and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	YES	The Associate Administrator for Civil Rights participates in monthly Leadership Meetings that provide briefings to the head of the agency. In addition, the Associate Administrator of Civil Rights provides regular briefings to the head of the agency on all areas of Civil Rights.	B.2.a
<b>B.1.c</b>	During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I)] If "yes", please provide the date of the briefing in the comments column.	YES	The Associate Administrator for Civil Rights and the MD 715 preparer presented to the agency leadership the "State of the Agency" report on May 21, 2021.	B.2.b
<b>B.1.d</b>	Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	YES		New



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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.2 - The EEO Director controls all aspects of the EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Compliance Indicator</b>	<b>Current Part G Questions</b>
<b>B.2.a</b>	Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)]	YES		B.3.a
<b>B.2.b</b>	Is the EEO Director responsible for overseeing the completion of EEO counseling [see 29 CFR §1614.102(c)(4)]	YES		New
<b>B.2.c</b>	Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	N/A	FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.	New
<b>B.2.d</b>	Is the EEO Director responsible for overseeing the timely issuing final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	N/A	FHWA is a sub-reporting Unit and is not responsible for investigations. The Departmental Office of Civil Rights issues final agency decisions.	New
<b>B.2.e</b>	Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	YES	The Director ensures that reporting is done as requested by those orders.	F.3.b
<b>B.2.f</b>	Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	YES		New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.2 - The EEO Director controls all aspects of the EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Compliance Indicator</b>	<b>Current Part G Questions</b>
<b>B.2.g</b>	If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2) and (c)(3)]	N/A	This function is handled by the Departmental Office of Civil Rights.	New

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.3 - The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>B.3.a</b>	Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	YES		B.2.c & B.2.d
<b>B.3.b</b>	Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	YES	FHWA strategic and performance planning efforts are aligned to the DOT Strategic Plan. In addition, FHWA has provided a list of objectives that include EEO/diversity and inclusion principles through the INPUT performance tracking system. (This information is provided as supplemental documentation to this report).	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>B.4.a</b>	Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:			
<b>B.4.a.1</b>	to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	YES		B.3.b
<b>B.4.a.2</b>	to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	YES		B.4.a
<b>B.4.a.3</b>	to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR § 1614.102(c)(5) & 1614.105(b) - (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	YES		E.5.b
<b>B.4.a.4</b>	to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	YES		B.4.f & B.4.g
<b>B.4.a.5</b>	to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]	YES		E.1.c
<b>B.4.a.6</b>	to publish and distribute EEO materials (e.g., harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	YES		B.4.c

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>B.4.a.7</b>	to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)]. If not, please identify the systems with insufficient funding in the comments section.	YES		New
<b>B.4.a.8</b>	to effectively administer its special emphasis programs (such as, Federal Women's Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]	YES		B.3.c, B.3.c.1, B.3.c.2, & B.3.c.3
<b>B.4.a.9</b>	to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I); EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	YES		New
<b>B.4.a.10</b>	to effectively manage its reasonable accommodation program? [see 29 CFR § 1614.203(d)(4)(ii)]	YES		B.4.d
<b>B.4.a.11</b>	to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	YES		New
<b>B.4.b</b>	Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	YES		New
<b>B.4.c</b>	Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	YES		B.1.b

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>B.4.d</b>	Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II)(A) of MD-110?	YES	Investigators are overseen at the Departmental level.	E.2.d
<b>B.4.e</b>	Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	YES	Investigators are overseen at the Departmental level.	E.2.e

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.5 - The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current Part G Questions</b>
<b>B.5.a</b>	Pursuant to 29 CFR § 1614.102(a)(5), have all managers and supervisors received training on their responsibilities under the following areas under the agency EEO program:			
<b>B.5.a.1</b>	EEO Complaint Process? [see MD-715(II)(B)]	YES	New managers and supervisors receive EEO training through Launchpoint. Follow up training is offered and made available to all managers and supervisors through Virtual EEO Awareness Symposium and annual site visits.	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.5 - The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>B.5.a.2</b>	Reasonable Accommodation Procedures? [see 29 C.F.R. § 1614.102(d)(3)]	YES	Managers and supervisors are made aware of the accommodation process through annual site visits, as well as through training as part of the Manager and Supervisor Forum.	A.3.d
<b>B.5.a.3</b>	Anti-Harassment Policy? [see MD-715(II)(B)]	YES		New
<b>B.5.a.4</b>	Supervisory, managerial, communication, and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	YES		New
<b>B.5.a.5</b>	ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	YES	Training is offered and made available to all managers and supervisors through EEO Virtual EEO Awareness Symposium.	E.4.b

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.6 - The agency involves managers in the implementation of its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>B.6.a</b>	Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	YES		New
<b>B.6.b</b>	Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	YES		D.1.a

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>B.6 - The agency involves managers in the implementation of its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current Part G Questions</b>
<b>B.6.c</b>	When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	YES		D.1.b
<b>B.6.d</b>	Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR § 1614.102(a)(5)]	YES		D.1.c

**Essential Element C: Management and Program Accountability**

**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.**

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.1 - The agency conducts regular internal audits of its component and field offices.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>C.1.a</b>	Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR § 1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	YES	FHWA annually assesses its field offices for possible EEO deficiencies.	New
<b>C.1.b</b>	Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR § 1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	YES	FHWA annually conducts assessments on the agency's efforts to remove barriers from the workplace.	New
<b>C.1.c</b>	Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]	YES		New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.2 - The agency has established procedures to prevent all forms of EEO discrimination.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>C.2.a</b>	Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	YES	FHWA has drafted an update to our Anti-Harassment procedures and they comply with EEOC's enforcement guidance and they are currently under Departmental internal review.	New
<b>C.2.a.1</b>	Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	YES		New
<b>C.2.a.2</b>	Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]	YES		New
<b>C.2.a.3</b>	Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	YES		New
<b>C.2.a.4</b>	Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [see Enforcement Guidance, V.C.]	YES		New



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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.2 - The agency has established procedures to prevent all forms of EEO discrimination.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>C.2.a.5</b>	Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see <i>Complainant v. Dep't of Veterans Affairs</i> , EEOC Appeal No. 0120123232 (May 21, 2015); <i>Complainant v. Dep't of Defense</i> (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.	YES		New
<b>C.2.a.6</b>	Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR 1614.203(d)(2)]	YES		New
<b>C.2.b</b>	Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR 1614.203(d)(3)]	YES	FHWA has drafted its own procedures and they are under internal review. Pending approval, FHWA is following the Department's DOT Order 1101.1B, which complies with EEOC's regulations and guidance.	New
<b>C.2.b.1</b>	Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR 1614.203(d)(3)(D)]	YES		E.1.d
<b>C.2.b.2</b>	Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	YES		New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.2 - The agency has established procedures to prevent all forms of EEO discrimination.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>C.2.b.3</b>	Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR 1614.203(d)(1)(ii)(B)]	YES		New
<b>C.2.b.4</b>	Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR 1614.203(d)(3)(i)(M)]	YES		New
<b>C.2.b.5</b>	Does the agency process all accommodation requests within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If "no", please provide the percentage of timely-processed requests in the comments column.	NO	The DOT order indicates a 25 day timeframe unless there are extenuating circumstances. 44% of accommodations within RAMs in FY 21 met the 25 day timeframe.	E.1.e
<b>C.2.c</b>	Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR 1614.203(d)(6)]	YES	FHWA currently follows the Department's procedures.	New
<b>C.2.c.1</b>	Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR § 1614.203(d)(5)(v)] If "yes", please provide the internet address in the comments column.	YES	<a href="https://www.transportation.gov/drc/personal-assistance-as-reasonable-accommodation">https://www.transportation.gov/drc/personal-assistance-as-reasonable-accommodation</a>	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>C.3.a</b>	Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	YES		New
<b>C.3.b</b>	Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:			
<b>C.3.b.1</b>	Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]	YES		A.3.a.1
<b>C.3.b.2</b>	Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]	YES		A.3.a.4
<b>C.3.b.3</b>	Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]	YES		A.3.a.5
<b>C.3.b.4</b>	Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]	YES		A.3.a.6
<b>C.3.b.5</b>	Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	YES		A.3.a.7
<b>C.3.b.6</b>	Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]	YES		A.3.a.8

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>C.3.b.7</b>	Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]	YES		New
<b>C.3.b.8</b>	Support the anti-harassment program in investigating and correcting harassing conduct. [see Enforcement Guidance, V.C.2]	YES		A.3.a.2
<b>C.3.b.9</b>	Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]	YES		New
<b>C.3.c</b>	Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]	YES		New
<b>C.3.d</b>	When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]	N/A	There were no findings for FY21.	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.4 - The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>C.4.a</b>	Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	YES		New
<b>C.4.b</b>	Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]	YES		C.2.a, C.2.b, & C.2.c
<b>C.4.c</b>	Does the EEO office have timely access to accurate and complete data (e.g., demographic data for workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]	YES		New
<b>C.4.d</b>	Does the HR office timely provide the EEO office have timely access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	YES		New
<b>C.4.e</b>	Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:			
<b>C.4.e.1</b>	Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	YES		New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.4 - The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>C.4.e.2</b>	Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	YES		New
<b>C.4.e.3</b>	Develop and/or provide training for managers and employees? [see MD-715, II(C)]	YES		New
<b>C.4.e.4</b>	Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	YES		New
<b>C.4.e.5</b>	Assist in preparing the MD-715 report? [see MD-715, II(C)]	YES		New

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.5 - Following a finding of discrimination, the agency explores whether it should take a disciplinary action.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>C.5.a</b>	Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? 29 CFR § 1614.102(a)(6); see also <u>Douglas v. Veterans Administration</u> , 5 MSPR 280 (1981)	YES	<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>	C.3.a.
<b>C.5.b</b>	When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	YES	Although the Agency takes appropriate action, there were no findings of discrimination for this reporting period.	C.3.c

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.5 - Following a finding of discrimination, the agency explores whether it should take a disciplinary action.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>C.5.c</b>	If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct? [see MD-715, II(C)]	YES	The Agency takes appropriate action; however, there have been, no findings of discrimination or settlements due to a likely finding during this reporting period.	New

<b>Measures</b>	<b>Compliance Indicator</b> <b>C.6 - The EEO office advises managers/supervisors on EEO matters.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>C.6.a</b>	Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comment's column.	YES	This is discussed annually within FHWA and the information is posted on our website.	C.1.a
<b>C.6.b</b>	Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	YES		New

**Essential Element D: Proactive Prevention**

**This element requires that the agency head make early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity.**

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>D.1 - The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>D.1.a</b>	Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	YES		New
<b>D.1.b</b>	Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	YES		New
<b>D.1.c</b>	Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR 1614.203(d)(1)(iii)(C)]	YES	The Department of Transportation has a DOT-wide exit survey and starting in fiscal year 2022 FHWA will have access to the survey data. FHWA does not require exit interviews, but managers can perform the interviews at their discretion.	New



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

<b>Measures</b>	<b>Compliance Indicator</b> <b>D.2 - The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>D.2.a</b>	Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	YES		New
<b>D.2.b</b>	Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	YES		B.2.c.2
<b>D.2.c</b>	Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	YES		B.2.c.1
<b>D.2.d</b>	Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.	YES	Complaint/grievance data, employee climate surveys, focus groups, affinity groups, anti-harassment program, special emphasis programs, and the reasonable accommodation program. Note: FHWA does not have unions.	New

<b>Measures</b>	<b>Compliance Indicator</b> <b>D.3 - The agency establishes appropriate action plans to remove identified barriers.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>D.3.a.</b>	Does the agency effectively tailor action plans to address the identified barriers, in particular	YES		New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>D.3 - The agency establishes appropriate action plans to remove identified barriers.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	<b>Current Part G Questions</b>
	policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]			
<b>D.3.b</b>	If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]	YES		New
<b>D.3.c</b>	Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	YES		New

<b>Measures</b>	<b>Compliance Indicator</b> <b>D.4 - The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>D.4.a</b>	Does the agency post its affirmative action plan on its public website? [see 29 CFR 1614.203(d)(4)] Please provide the internet address in the comments.	YES	<a href="http://www.fhwa.dot.gov/civilrights/">www.fhwa.dot.gov/civilrights/</a> Note: The Agency website also links to the Department and the Department is updating their website.	New
<b>D.4.b</b>	Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR 1614.203(d)(1)(i)]	YES		New
<b>D.4.c</b>	Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR 1614.203(d)(1)(ii)(A)]	YES		New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>D.4 - The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>D.4.d</b>	Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR 1614.203(d)(7)(ii)]	YES		New

**Essential Element E: Efficiency**

**This element requires the agency head to ensure that there are effective systems for evaluating the impact and effectiveness of the agency's EEO programs and an efficient and fair dispute resolution process.**

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.1.a</b>	Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	YES		E.3.a.1
<b>E.1.b</b>	Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?	YES		E.3.a.2
<b>E.1.c</b>	Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?	N/A	This function is handled by the Departmental Office of Civil Rights.	New
<b>E.1.d</b>	Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.	N/A	This function is handled by the Departmental Office of Civil Rights.	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.1.e</b>	Does the agency ensure all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?	YES		New
<b>E.1.f</b>	Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?	N/A	This function is handled by the Departmental Office of Civil Rights.	E.3.a.3
<b>E.1.g</b>	If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?	N/A	This function is handled by the Departmental Office of Civil Rights.	New
<b>E.1.h</b>	When the complainant does not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?	N/A	This function is handled by the Departmental Office of Civil Rights.	E.3.a.4
<b>E.1.i</b>	Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?	N/A	This function is handled by the Departmental Office of Civil Rights.	E.3.a.7
<b>E.1.j</b>	If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.	N/A	FHWA does not use contractors for its stages of the EEO process. To the extent contractors are used for other stages, this is handled by the Departmental Office of Civil Rights.	E.2.c

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.1.k</b>	If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]	YES		New
<b>E.1.l</b>	Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]	N/A	This function is handled by the Departmental Office of Civil Rights.	New

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.2 - The agency has a neutral EEO process.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>Revised Indicator</b>	<b>Current Part G Questions</b>
<b>E.2.a</b>	Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)]	YES	Legal sufficiency reviews are handled at the Departmental level.	New
<b>E.2.b</b>	When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/location of the attorney who conducts the legal sufficiency review in the comments column.	N/A	Legal sufficiency reviews are handled at the Departmental level.	E.6.a
<b>E.2.c</b>	If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]	N/A	Legal sufficiency reviews are handled at the Departmental level.	New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.2 - The agency has a neutral EEO process.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b> <b>Revised Indicator</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>E.2.d</b>	Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]	YES		E.6.b
<b>E.2.e</b>	If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? EEOC Report, <i>Attaining a Model Agency Program: Efficiency</i> (Dec. 1, 2004)	N/A	Legal sufficiency reviews are handled at the Departmental level.	E.6.c

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.3 - The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current</b> <b>Part G</b> <b>Questions</b>
<b>E.3.a</b>	Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	YES		E.4.a
<b>E.3.b</b>	Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]	YES		E.4.c
<b>E.3.c</b>	Does the agency encourage all employees to use ADR, where ADR is appropriate? [see MD-110, Ch. 3(IV)(C)]	YES		D.2.a
<b>E.3.d</b>	Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]	YES		New

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.3 - The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.3.e</b>	Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]	YES		E.4.d
<b>E.3.f</b>	Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	NO	The Department evaluates the effectiveness of its ADR program annually. FHWA will implement its own evaluation process in FY22 to evaluate FHWA's use of the Departmental ADR program.	New

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.4 - The agency has effective and accurate data collection systems in place to evaluate its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.4.a</b>	Does the agency have systems in place to accurately collect, monitor, and analyze the following data:			
<b>E.4.a.1</b>	Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	YES		E.5.a
<b>E.4.a.2</b>	The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	YES		E.5.c
<b>E.4.a.3</b>	Recruitment activities? [see MD-715, II(E)]	YES		E.5.f

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.4 - The agency has effective and accurate data collection systems in place to evaluate its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.4.a.4</b>	External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]	YES		New
<b>E.4.a.5</b>	The processing of requests for reasonable accommodation? [29 CFR § 1614.203(d)(4)]	YES		New
<b>E.4.a.6</b>	The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	YES		New
<b>E.4.b</b>	Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	YES		New

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.5 - The agency identifies and disseminates significant trends and best practices in its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.5.a</b>	Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.	YES	Reviews Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints (EEOC Form 462) to develop and provide training in EEO areas and track trends.	E.5.e



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

<b>Measures</b>	<b>Compliance Indicator</b> <b>E.5 - The agency identifies and disseminates significant trends and best practices in its EEO program.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>E.5.b</b>	Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.	YES	Adopted a best practice from GSA: EEO counselors now provide the initial contact form to Aggrieved Persons for them to review for accuracy of EEO allegations.	E.5.g
<b>E.5.c</b>	Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]	YES		E.3.a

**Essential Element F: Responsiveness and Legal Compliance**

This element requires federal agencies to comply with EEO statutes and EEOC regulations, policy guidance, and other written instructions.

<b>Measures</b>	<b>Compliance Indicator</b> <b>F.1 - The agency has processes in place to ensure timely and full compliance with EEOC Orders and settlement agreements.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>F.1.a</b>	Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	YES		F.1.a
<b>F.1.b</b>	Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	YES		E.3.a.6

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>F.1 - The agency has processes in place to ensure timely and full compliance with EEOC Orders and settlement agreements.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>F.1.c</b>	Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	YES		F.2.a.1
<b>F.1.d</b>	Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	YES		F.2.a.2
<b>F.1.e</b>	When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	N/A	Compliance Officer is at the Departmental Level.	F.3.a.

<b>Measures</b>	<b>Compliance Indicator</b> <b>F.2 - The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>F.2.a</b>	Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	YES		C.3.d
<b>F.2.a.1</b>	When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	N/A	This function is handled by the Departmental Office of Civil Rights.	E.3.a.5
<b>F.2.a.2</b>	When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	YES		E.3.a.7

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

<b>Measures</b>	<b>Compliance Indicator</b> <b>F.2 - The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>F.2.a.3</b>	When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	N/A	This function is handled by the Departmental Office of Civil Rights.	New
<b>F.2.a.4</b>	Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	YES		F.3.d (1 to 9)

<b>Measures</b>	<b>Compliance Indicator</b> <b>F.3 - The agency reports to EEOC its program efforts and accomplishments.</b>	<b>Measure Met?</b> <b>(Yes/No/NA)</b>	<b>Comments</b>	<b>Current Part G Questions</b>
<b>F.3.a</b>	Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	YES	This function is handled by the Departmental Office of Civil Rights.	New
<b>F.3.b</b>	Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	YES		New

**MD-715 – Part H**  
**Part H1**

**Agency EEO Plan to Attain the Essential Elements of a Model EEO Program**

Please describe the status of each plan that the agency has implemented to correct deficiencies in the EEO program.

☐ If the agency did not address any deficiencies during the reporting period, please check the box.

**Statement of Model Program Essential Element Deficiency**

<b>Type of Program Deficiency</b>	<b>Brief Description of Program 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.

**Objective(s) and Dates for EEO Plan**

<b>Date Initiated (mm/dd/yyyy)</b>	<b>Objective</b>	<b>Target Date (mm/dd/yyyy)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Date Completed (mm/dd/yyyy)</b>
12/15/2005	To conduct trend analyses for workforce compensation and reward system by race, national origin, sex, and disability.	09/30/2017	<del>09/30/2021</del> 9/30/2023	Ongoing

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
Director, Office of Human Resources	David Lewis	YES
Operations Team Leader, Office of Civil Rights	Tanya Emam	YES

**Planned Activities Toward Completion of Objective**

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

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
09/30/2017	Office of Civil Rights (HCR) in continued partnership with HR will conduct annual barrier analyses by race, national origin and sex on workforce compensation and awards for the last 3 to 5 years.	YES	<del>09/30/2017</del> <del>09/30/2021</del> 9/30/2022	5/30/2022 Complete
09/30/2017	HCR in continued partnership with HR will conduct annual trend analyses by disability on workforce compensation and awards for the last 3 to 5 years.	YES	9/30/2020	9/30/2020 Complete

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
<b>2018</b>	The FHWA "At-A-Glance" workforce analysis report for FY 18 was completed and presented to the Agency in February 2019. On an annual basis, this workforce analysis is presented as a snapshot of the FHWA's workforce by Gender, Ethnicity, Disability, Grade Dispersion, Awards and Recognition. FHWA continues to monitor and conduct an annual trend analysis by race, national origin and sex on workforce compensation and awards.

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

Fiscal Year	Accomplishments
2019	<p>The FHWA examined and reviewed its recruitment trends in an effort to bolster the Agency's corporate recruitment plan. It utilizes the Data Visualization Center to continue to identify new ways to improve its recruitment and onboarding efforts. As part of this new plan a focus was put on increasing outreach and diversity in FHWA's workforce with a particular focus on women. A 30+ page recruitment plan was developed that created 5 year benchmarks of FHWA's applicant pool, aligned with previous workforce plans, identified underrepresented populations, and hiring targets for each as well as predictions for mission critical turnover. Hiring fairs and outreach events were identified to align with the data to create a strategic approach to organizational outreach and recruitment. FHWA worked with FHWA leadership to develop a designated team for recruitment and outreach. The result was the creation of the Recruitment Outreach and Diversity (ROAD) Team. The ROAD team created new promotional materials including brochures and a banner for display and distribution. In addition, FHWA recognized a need to understand how to advertise its careers in urban areas. FHWA conducted market research on brand awareness and specifically looked at the effectiveness of transit advertising in multiple metropolitan areas. The information was later used to identify a vendor and advertising package to pursue billboard advertising to promote the Agency's very own career fair in Q2 of FY 20. To further support the ROAD team and the Agency's recruitment efforts, FHWA enhanced its Ambassador's program, which is an initiative to select and train Division Office recruiters all over the Agency. The ROAD team updated the list of approximately 100 recruiters and grew the list with support from senior leadership to approximately 180 ambassadors. New recruiters were selected with an emphasis on creating as much diversity as possible. A 1-day training was created for Ambassadors to teach them how to be effective recruiters, or Ambassadors, for FHWA. Two separate 1-day trainings were offered in FY 19. Post-course feedback was very positive with the course receiving overwhelmingly positive reviews. FHWA now has a larger pool of diverse recruiters nationwide to attend hiring fairs, professional conferences, and career info sessions while visiting colleges and universities. A list of universities as well as points of contact was compiled. Each university was contacted via email or phone to ensure that FHWA's contact list was up to date. Utilizing Handshake, US News and World Report's annual list of top engineering schools, and lists of Minority Serving Institutions, Historically Black Colleges and Universities, all female universities, Hispanic Serving Institutes and Asian Serving Institutes as well as large universities with diverse student bodies, FHWA now has a list of 239 universities with specific points of contact that its recruiters have access to. Many have already used the list to begin outreach efforts and conduct presentations at universities.</p>

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

<b>Fiscal Year</b>	<b>Accomplishments</b>
<b>2020</b>	<p>The FHWA “At-A-Glance” workforce analysis report for FY 20 was completed and presented to the Agency on April 8, 2021. On an annual basis, this workforce analysis is presented as a snapshot of the FHWA’s workforce by Gender, Ethnicity, Disability, Grade Dispersion, Awards and Recognition. FHWA continues to monitor and conduct an annual trend analysis by race, national origin and sex on workforce compensation and awards.</p> <p>FHWA has analyzed the RNO and gender data over a 3-year trend in relation to compensation and awards. FHWA plans to utilize a Barrier Analysis Team to identify triggers, determine if there are barriers, and develop an action plan.</p>
<b>2021</b>	<p>The Agency conducted Barrier Analysis in compensation and awards. The process identified triggers highlighted in Part I of this report. A team approach was used to review workforce tables and the appropriate benchmarks were identified. A 3 to 5-year trend was established to outline rates above and/or above the EEOC benchmark. Policies and procedures were reviewed and interviews with Office of Human Resources, Office of Civil Rights, Employee Resource Groups, and the Diversity Equity Inclusion Officer were held. See Part I for specifics.</p>

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

**MD-715 – Part H**

**Part H2**

**Agency EEO Plan to Attain the Essential Elements of a Model EEO Program**

Please describe the status of each plan that the agency has implemented to correct deficiencies in the EEO program.

☐ If the agency did not address any deficiencies during the reporting period, please check the box.

**Statement of Model Program Essential Element Deficiency**

<b>Type of Program Deficiency</b>	<b>Brief Description of Program 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.

**Objective(s) and Dates for EEO Plan**

<b>Date Initiated (mm/dd/yyyy)</b>	<b>Objective</b>	<b>Target Date (mm/dd/yyyy)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Date Completed (mm/dd/yyyy)</b>
12/15/2011	To track and analyze the effectiveness of our targeted recruitment and outreach efforts by collecting data for virtual and in-person event attendance to measure turnout. Subsequently, track job announcement application data.	09/30/2017	Target date extended: <del>09/30/2019</del> <del>09/30/2020</del> 9/30/2023	Ongoing

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
Director, Office of Human Resources	David Lewis	YES



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

**Planned Activities Toward Completion of Objective**

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
09/30/2017	FHWA will work to identify the best approach to gathering and tracking data on recruitment resources.	YES	09/30/2020	<del>09/30/2017</del> Complete 9/30/2020
09/30/2017	Analyze Data.	YES	09/30/2020	<del>09/30/2017</del> Complete 9/30/2020

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
<b>2018</b>	In FY 18 recruitment efforts were not as expected due to additional processes built into the vetting approval process of new positions by FHWA. The Department approves all vacancies. This adds an additional layer to the process. A modified plan is still in developmental stages with the target date of 09/30/2020 so that multiple year trend analyses can be performed. Recruitment activities will continue to be monitored for hiring trends for FY 19/20.
<b>2019</b>	The FHWA continues to examine and review its recruitment trends. It utilizes the Data Visualization Center to continue to identify ways to improve its recruitment and onboarding efforts. This will be an ongoing effort for FY 20. Additional accomplishments are listed in Section H.2 for 2019.
<b>2020</b>	FHWA consistently participated in recruitment events also making it a priority to attend virtual events as well. In addition, FHWA participates in recruitment outreach for Persons with Disabilities, veterans, women, African American, Asian, Hispanic, Native American, and other minority groups. FHWA then assesses the success of the events using event evaluation forms for attendees. This routine will continue going forward.

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

<b>Fiscal Year</b>	<b>Accomplishments</b>
<b>2021</b>	<p>FHWA continued to participate in a variety of recruitment events including virtual and in-person activities. The target audience was diverse and included minority serving institutions, veterans, persons with disabilities, and professionals across multiple levels (i.e., current students, recent graduates, and mid-career). Participation rates from recruitment events were generally noted to identify schools/organizations that had the most interest in FHWA.</p> <p>The agency utilized direct emailing to reach large candidate bases to market available job announcements. This method was found to be most effective in reaching out to the public.</p> <p>Virtual information sessions were piloted as a cost effective and efficient way to attract interested candidates to learn about our agency and market our job opportunities.</p>

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

**MD-715 – Part H**  
**Part H3**

**Agency EEO Plan to Attain the Essential Elements of a Model EEO Program**

Please describe the status of each plan that the agency has implemented to correct deficiencies in the EEO program.

☐ If the agency did not address any deficiencies during the reporting period, please check the box.

**Statement of Model Program Essential Element Deficiency**

<b>Type of Program Deficiency</b>	<b>Brief Description of Program Deficiency</b>
Evaluating the effectiveness of the Agency's ADR program in alignment with OST and in accordance with Management Directive (MD)-110, Ch. 3(II)(D).	FHWA does not annually evaluate the effectiveness of its ADR program.

**Objective(s) and Dates for EEO Plan**

<b>Date Initiated (mm/dd/yyyy)</b>	<b>Objective</b>	<b>Target Date (mm/dd/yyyy)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Date Completed (mm/dd/yyyy)</b>
08/23/2021	To evaluate the effectiveness of FHWA's ADR Program	9/30/2023		

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
EEO and Special Emphasis Program Manager, Office of Civil Rights	Nikisha Bennett	YES
Operations Team Leader, Office of Civil Rights	Tanya Emam	YES

**Planned Activities Toward Completion of Objective**

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

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
03/01/2022	Develop a survey to be disseminated to FHWA employees who participate in the EEO Complaint Process.	YES		
9/30/2023	Analyze survey data on an annual basis.	YES		

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
	New Deficiency

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

**MD-715 – Part H**

**Part H4**

**Agency EEO Plan to Attain the Essential Elements of a Model EEO Program**

Please describe the status of each plan that the agency has implemented to correct deficiencies in the EEO program.

☐ If the agency did not address any deficiencies during the reporting period, please check the box.

**Statement of Model Program Essential Element Deficiency**

Type of Program Deficiency	Brief Description of Program Deficiency
Improve efficiency of the Reasonable Accommodations process to meet expanded demands as a result of the new hybrid work environment.	Increase in tools and resources needed within the reasonable accommodations process to ensure timely processing of requests.

**Objective(s) and Dates for EEO Plan**

Date Initiated (mm/dd/yyyy)	Objective	Target Date (mm/dd/yyyy)	Modified Date (mm/dd/yyyy)	Date Completed (mm/dd/yyyy)
4/28/2022	To develop a more efficient case management system to monitor and deliver timely processing of reasonable accommodation requests	9/30/2023		

**Responsible Official(s)**

Title	Name	Performance Standards Address the Plan? (Yes or No)
Operations Team Leader, Office of Civil Rights	Tanya Emam	YES
Disability Policy Analyst, Office of Civil Rights	Kirsten Poston	YES

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

**Planned Activities Toward Completion of Objective**

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
9/30/2022	Finalize the Agency RA case tracking system for Managers/Employees	YES		
9/30/2022	Distribute FHWA Reasonable Accommodation Procedures.	YES		
6/30/2023	Develop supporting Reasonable Accommodation Processing Toolkit for Managers	YES		

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
	New Deficiency

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

**MD-715 – Part I**  
**Part II**  
**Agency EEO Plan to Eliminate Identified Barrier**

Please describe the status of each plan that the agency implemented to identify possible barriers in policies, procedures, or practices for employees and applicants by race, ethnicity, and gender.

☐ If the agency did not conduct barrier analysis during the reporting period, please check the box.

**Statement of Condition That Was a Trigger for a Potential Barrier:**

Source of the Trigger	Specific Workforce Data Table	Narrative Description of Trigger
Workforce Data Tables	A/1, B/1	Groups with lower than expected participation rates when comparing workforce indicators such as total representation, the CLF, hiring, and/or separation rates.

**EEO Group(s) Affected by Trigger**

EEO Group	Affected by Trigger (Yes/No)
All Men	NO
All Women	YES
Hispanic or Latino Males	NO
Hispanic or Latino Females	YES
White Males	NO
White Females	YES
Black or African American Males	NO
Black or African American Females	NO
Asian Males	NO
Asian Females	NO
Native Hawaiian or Other Pacific Islander Males	NO
Native Hawaiian or Other Pacific Islander Females	YES
American Indian or Alaska Native Males	YES
American Indian or Alaska Native Females	YES

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

<b>EEO Group</b>	<b>Affected by Trigger (Yes/No)</b>
Two or More Races Males	NO
Two or More Races Females	NO

**Barrier Analysis Process**

<b>Sources of Data</b>	<b>Source Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>
Workforce Data Tables	YES	A1/B1 data tables, Annual Federal EEO Statistical Report of Discrimination (EEOC Form 462), No FEAR Act Annual Report, Federal Employee View Point Survey (FEVS) and FHWA's All Employee Survey.
Complaint Data (Trends)	YES	EEO and Anti-Harassment trends
Grievance Data (Trends)	NO	
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	YES	OST annual data calls, 462 report
Climate Assessment Survey (e.g., FEVS)	YES	Federal Employee Viewpoint Survey
Exit Interview Data	NO	
Focus Groups	YES	Women's Focus Group and Barrier Analysis Team
Interviews	YES	Key staff from Office of Civil Rights, Office of Administration, and select Employee Resource Groups
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	YES	US DOT Equity Initiatives to support EO 13985 & 13988; <a href="#">Equity Actions   US Department of Transportation</a>
Other (Please Describe)	YES	Agency Recruitment Plan; Diversity Hiring Guide; & Merit Promotion Plan

**Status of Barrier Analysis Process**



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

<b>Barrier Analysis Process Completed?</b> (Yes or No)	<b>Barrier(s) Identified?</b> (Yes or No)
YES	YES

**Statement of Identified Barrier(s)**

<b>Description of Policy, Procedure, or Practice</b>
The Agency is in the process of conducting a barrier analysis of recruitment and hiring practices, and the separation factors. The DOT has not identified the causes of the condition at the time of reporting.

**Objective(s) and Dates for EEO Plan**

<b>Date Initiated</b> (mm/dd/yyyy)	<b>Objective</b>	<b>Target Date</b> (mm/dd/yyyy)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Date Completed</b> (mm/dd/yyyy)
03/30/2018	FHWA will continue to implement its focus outreach efforts to recruit qualified female applicants and applicants from groups with lower-than-expected participation rates. FHWA will leverage its resources to increase recruitment efforts, through the 2019-2022 Strategic Plan.	09/30/2022		
04/30/2021	FHWA will continue to implement and perform workforce analysis on a biennial basis as it relates to hiring rate and separation rates over a 3-year trend. As well as further analysis at the higher-grade levels.  Once analysis is complete, FHWA will look to perform: 1) Focus Groups; 2) Exit Interviews; and 3) Target Group Surveys on any identified triggers to further analyze barriers if necessary.	9/30/2023		

**Responsible Official(s)**

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

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
Operations Team Leader, Office of Civil Rights	Tanya Emam	YES
Director, Office of Human Resources	David Lewis	YES

**Report of Accomplishments**

2020	<p>FY 20 Accomplishments for recruiting women: 110 or 36.8% of the permanent hires were women – an 11% increase from the 99 women hired in FY 19. With the improvements in hiring, women still separated. It is noted that in FY 20 the separation rate of women is higher than the participant rate of women in the total workforce.</p> <p>FHWA excelled in improving the number of women in the applicant pools of the following two occupational series: 0810 (Civil Engineering) which is a hard to fill occupation where the talent pool is overwhelmingly male and 0020 (Community Planning) which saw the largest spike in the number of female applicants.</p> <p>0810 Civil Engineering saw an increase from 245 in 2019 to 286 female applicants in 2020, a 114% increase in the number of female applicants.</p> <p>0020 Community Planning saw an increase from 68 in 2019 to 114 female applicants in 2020, a 141% increase in the number of female applicants</p>
2021	<p>The Agency conducted a Women’s Focus Group in 2021. The group included a representative sampling of women to include administrative, professional, and management representatives across the Agency. The focus group was a mixture of open dialog and facilitated discussions in a question and answer format. The group was held virtually with an emphasis on hiring, promotions, career development, gender inclusivity, and separations.</p> <p>The Agency at this time does not require exit interviews. This is managed within the Department of Transportation. Also, the Agency is looking to revamp efforts away from a targeted survey to more of a listening session with select employee resource groups. Both of these activities will be revisited in FY 22/23.</p>

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

**MD-715 – Part I**  
**Part I2**  
**Agency EEO Plan to Eliminate Identified Barrier**

Please describe the status of each plan that the agency implemented to identify possible barriers in policies, procedures, or practices for employees and applicants by race, ethnicity, and gender.

☐ If the agency did not conduct barrier analysis during the reporting period, please check the box.

**Statement of Condition That Was a Trigger for a Potential Barrier:**

<b>Source of the Trigger</b>	<b>Specific Workforce Data Table</b>	<b>Narrative Description of Trigger</b>
Workforce Data Tables	A4P	Groups with lower than permanent workforce at Grades 13 through SES.

**EEO Group(s) Affected by Trigger**

<b>EEO Group</b>	<b>Affected by Trigger (Yes/No)</b>
All Men	YES (note: Only @ SES level)
All Women	YES (note: Only @ GS 13 & 14 levels)
Hispanic or Latino Males	YES
Hispanic or Latino Females	YES
White Males	NO
White Females	YES
Black or African American Males	NO
Black or African American Females	YES
Asian Males	YES
Asian Females	YES
Native Hawaiian or Other Pacific Islander Males	NO
Native Hawaiian or Other Pacific Islander Females	NO

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

<b>EEO Group</b>	<b>Affected by Trigger (Yes/No)</b>
American Indian or Alaska Native Males	NO
American Indian or Alaska Native Females	NO
Two or More Races Males	NO
Two or More Races Females	NO

**Barrier Analysis Process**

<b>Sources of Data</b>	<b>Source Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>
Workforce Data Tables	YES	A1/B1 data tables, Annual Federal EEO Statistical Report of Discrimination (EEOC Form 462), No FEAR Act Annual Report, Federal Employee View Point Survey (FEVS) and FHWA's All Employee Survey.
Complaint Data (Trends)	YES	EEO and Anti-Harassment trends
Grievance Data (Trends)	NO	
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	YES	OST annual data calls, 462 report
Climate Assessment Survey (e.g., FEVS)	YES	Federal Employee Viewpoint Survey
Exit Interview Data	NO	
Focus Groups	YES	Women's Focus Group and Barrier Analysis Team
Interviews	YES	Key staff from Office of Civil Rights, Office of Administration, and select Employee Resource Groups
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	YES	US DOT Equity Initiatives to support EO 13985 & 13988; <a href="#">Equity Actions   US Department of Transportation</a>

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

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Other (Please Describe)	YES	Agency Recruitment Plan; Diversity Hiring Guide; & Merit Promotion Plan

**Status of Barrier Analysis Process**

Barrier Analysis Process Completed? (Yes or No)	Barrier(s) Identified? (Yes or No)
YES	YES

**Statement of Identified Barrier(s)**

Description of Policy, Procedure, or Practice
The Agency will explore potential blocked pipelines in grade. The DOT has not identified the causes of the condition at the time of reporting.

**Objective(s) and Dates for EEO Plan**

Date Initiated (mm/dd/yyyy)	Objective	Target Date (mm/dd/yyyy)	Modified Date (mm/dd/yyyy)	Date Completed (mm/dd/yyyy)
7/30/2022	<p>FHWA will continue to implement and perform workforce analysis on a biennial basis as it relates to hiring rate and separation rates over a 3-year trend. As well as further analysis at the higher-grade levels.</p> <p>Once analysis is complete, FHWA will look to perform: 1) Perform Focus Groups; 2) Garner support and develop process to perform Agency exit interviews; and 3) ERG Group Briefings on any identified triggers to further analyze barriers if necessary.</p>	9/30/2024		

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

<b>Date Initiated (mm/dd/yyyy)</b>	<b>Objective</b>	<b>Target Date (mm/dd/ yyyy)</b>	<b>Modified Date (mm/dd/ yyyy)</b>	<b>Date Completed (mm/dd/ yyyy)</b>
7/30/2022	FHWA will continue to implement and explore leadership pipeline efforts within internal promotion practices (i.e. interviewing, locational qualification considerations, performance reviews/awards, etc).	9/30/ 2024		
7/30/2022	FHWA will explore and benchmark successes within succession planning to share throughout the Agency.	9/30/ 2024		

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
Operations Team Leader, Office of Civil Rights	Tanya Emam	YES
Director, Office of Human Resources	David Lewis	YES

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

**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 plan will improve the recruitment, hiring, advancement, and retention of applicants and employees with disabilities. All agencies, regardless of size, must complete this Part of the MD-715 report.

**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)	Yes 0	No X
b. Cluster GS-11 to SES (PWD)	Yes X	No 0

**Source: Table B4P:** In FY 21, PWD in GS 1-10 Cluster of the permanent workforce participate at 18.45%, a higher rate than the expected 12% benchmark, indicating no trigger.

PWD in the GS 11 to SES Cluster participate at 10.69%, a lower rate than the expected 12% benchmark, indicating a trigger. (Source: Table B4P)

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)	Yes 0	No X
b. Cluster GS-11 to SES (PWTD)	Yes 0	No X

**Source Table B4P:** In FY 21, PWTD in GS 1-10 Cluster of the permanent workforce participate at 6.64%, a higher rate than the expected 2% benchmark, indicating no trigger.

PWTD in the GS 11 to SES Cluster participate at 2.49%, a rate slightly greater than the expected 2% benchmark, indicating no trigger. (Table B4P)

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

Through FY 21, the Agency's numerical goals for hiring person with disabilities were shared via the Agency's quarterly Leadership Team Dashboard. This was specifically

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

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

**Section II: Model Disability Program**

Pursuant to 29 C.F.R. §1614.203(d)(1), agencies must ensure sufficient staff, training, and resources to recruit and hire persons with disabilities and persons with targeted disabilities, administer the reasonable accommodation program and special emphasis program, and oversee any other disability hiring and advancement program the agency has in place.

**A. Plan to Provide Sufficient & Competent Staffing for the Disability Program**

1. Has the agency designated sufficient qualified personnel to implement its disability program during the reporting period? If "no", describe the agency's plan to improve the staffing for the upcoming year.

Yes X      No 0

Not applicable.

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

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWD	1			Allen Milham, Program Analyst
Answering questions from the public about hiring authorities that take disability into account	1			Allen Milham, Program Analyst
Processing reasonable accommodation requests from applicants and employees	1			Kirsten Poston, Disability Program Manager
Section 508 Compliance	1			Michelle Cribbs, Section 508 Program Manager
Architectural Barriers Act Compliance	1			Jeffrey Baxter, Associate Director of Facilities, Office of the Secretary (OST)



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

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Special Emphasis Program for PWD and PWTD	1			Kirsten Poston, Disability Program Manager

3. Has the agency provided disability program staff with sufficient training to carry out their responsibilities during the reporting period? If “yes”, describe the training that disability program staff have received. If “no”, describe the training planned for the upcoming year.

Yes X      No 0

The Disability Program Manager has attended a number of training sessions in fiscal year 2021. The training includes the Federal Dispute Resolution conference, the EXCEL conference through EEOC, the Disability Program Manager training through EEOC, and the MD 715 Basics course.

**B. Plan to Ensure Sufficient Funding for the Disability Program**

1. 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.

Yes X      No 0

Not applicable.

**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.

The FHWA has a multipronged approach to identify potential applicants with disabilities. This includes:

- Participating in recruitment and outreach events that focus on the employment of persons with disabilities. In FY 21, FHWA participated in 118 recruitment events throughout the nation. Of those, 10 events were related to disability hiring.
- Developing and maintaining relationships with disability organizations and colleges with disability offices. This allows FHWA to share information related to job opportunities which can be shared with their community. In some instances, these organizations have helped FHWA to post job announcements on their recruitment

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

sites to be more visible. FHWA is using Handshake and Simplicity to raise awareness of their job opportunities.

- The FHWA continues to implement a Recruitment, Outreach and Diversity plan that focuses on increasing the number of applicants with disabilities in FHWA's applicant pool. To achieve this outcome the Agency intends to increase its outreach to talent pools that consist of people with disabilities. This outreach will consist of attending hiring fairs, classroom outreach at academic institutions, and through affinity groups whose membership is made up of people with disabilities.
- The DOT Executive Agent has a standard list of professional organizations, and academic institutions that automatically receive a copy of all job announcements posted via USAJobs. More specifically, FHWA has used the following recruitment sources as part of its outreach to have persons with disabilities apply for vacancies:
- OPM's Shared List of People with Disabilities; the Workforce Recruitment Program (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.

This list is not all encompassing but provides a broad view of the Agency's ongoing efforts.

2. Pursuant to 29 C.F.R. § 1614.203(a)(3), describe the agency's use of hiring authorities that take disability into account (e.g., Schedule A) to recruit PWD and PWTD for positions in the permanent workforce.

The FHWA utilizes appointing authorities to include Schedule A, Excepted Service, Veterans Recruitment Appointment (VRA), and 30% or More Disabled Veterans.

The HR specialists provide information on these hiring flexibilities when contacted by hiring managers to fill a vacancy. The HR Specialist identifies which authority may meet the needs of the office and provides information on how to use the authorities if deemed appropriate.

3. When individuals apply for a position under a hiring authority that takes disability into account (e.g., Schedule A), explain how the agency (1) determines if the individual is eligible for appointment under such authority and (2) forwards the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed.

At FHWA, the HR Specialists work directly with hiring managers to use the non-competitive excepted service hiring authorities, including Schedule A. If a manager determines that a hiring authority that takes disability into account may be used, the HR Specialists provides specific information related to how applications are received and reviewed. This may include requesting resumes from the Agency's Selection Placement Coordinator assigned to collect and share this information. In addition, Agency recruiters from around the country may be asked for points of contacts for Veteran organizations to facilitate resume collection.

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

The FHWA receives and reviews resumes and determines whether the applicants are qualified for the position and whether the applicants submitted the necessary supplemental documents including Schedule A letters. Resumes and supplemental documents are then forwarded to the hiring manager. After the hiring manager completes interviewing of qualified candidates, he/she decides if the applicant can perform the job duties. The applicant must meet the qualification requirements, including specialized experience, for the position.

4. Has the agency provided training to all hiring managers on the use of hiring authorities that take disability into account (e.g., Schedule A)? If “yes”, describe the type(s) of training and frequency. If “no”, describe the agency’s plan to provide this training.

Yes X            No 0            N/A 0

The FHWA Office of Human Resources conducted Webinars on hiring veterans, disabled veterans, and persons with disabilities for the HR staffing personnel as well as for the hiring managers.

As positions become vacant, HR Specialists discusses hiring flexibilities and options with hiring managers to reinforce the Agency's commitment for employing a diverse workforce. The DVAAP Program Coordinator utilizes the HR bi-weekly meetings, comprised of Agency-wide staffing and classification teams, to provide briefings, updates, and reminders related to disability hiring goals and hiring flexibilities.

In FY 21, FHWA Human Resource Specialists conducted training sessions for hiring managers on recruitment options such as Veterans Hiring Flexibilities, including hiring and retaining disabled veterans and people with disabilities. Training was provided via classroom based training, office presentations and division office site visits. Civil Rights Specialists also provided Webinar training on hiring authorities to all employees including hiring managers. For the first time, FHWA collaborated with the Federal Aviation Administration to implement a hiring fair that promoted FHWA careers directly to veterans, disabled veterans, veterans with 30% or more disability, veteran transition counselors, representatives from the VA, and people with disabilities.

**B. Plan to Establish Contacts with Disability Employment Organizations**

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

The FHWA continues to implement a Recruitment, Outreach and Diversity (ROAD) plan to conduct a review of organizations, colleges and universities, and other organizations that serve persons with disabilities and veterans. The organizations are contacted and provided information about the FHWA, and to obtain the name and email of a dedicated resource to contact. The Corporate Recruitment team has participated in outreach to the disability employment organizations and outreach sources as well as conducting meetings with them to update resource information and to explore potential future partnerships.

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

In FY 21, FHWA attended ten recruitment events at colleges, universities, academic institutions, and professional associations that support populations of people with disabilities.

**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)	Yes 0	No X
b. New Hires for Permanent Workforce (PWTD)	Yes 0	No X

**Source: Table B-1-1.**

In FY 21, the new hire rate for FHWA PWD in the permanent workforce was 16.98%, a higher rate than the expected 12% benchmark, indicating no trigger. The new hire rate for FHWA PWTD in the permanent workforce is 3.14%, a higher rate than the expected 2% benchmark, indicating no trigger.

2. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTD among the new hires for any mission-critical occupations (MCO)? If “yes”, please describe the triggers below.

a. New Hires for MCO (PWD)	Yes X	No
b. New Hires for MCO (PWTD)	Yes X	No

**Source: Table B6-P Applicant for New Hires Major Critical Occupations by Disability** PWD new hire selections at a rate lower than the qualified external applicant pool within the Realty Specialist series indicating triggers. PWTD new hire selections at a lower rate than the qualified external applicant pool within the Community Planner, Environmental Specialist, and Transportation Specialist series indicating triggers.

MCO	PWD		Triggers	PWTD		Triggers
	Table Qualified External Applicant Pool	Table B6-P New Hire Selections	Yes/No	Table Qualified External Applicant Pool		Table Qualified External Applicant Pool
(0020) Community Planner	6.52%	10.00%	No	2.90%	0.0%	Yes
(0028) Environmental Specialist	10.39%	25.00%	No	6.06%	0.0%	Yes
(0501/0505) Financial Specialist	6.51%	25.00%	No	2.68%	12.50%	No
(0802) Engineering Technician	8.33%	60.00%	No	7.29%	20.00%	No

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

MCO	PWD		Triggers	PWTD		Triggers
	Table Qualified External Applicant Pool	Table B6-P New Hire Selections	Yes/No	Table Qualified External Applicant Pool		Table Qualified External Applicant Pool
(0810) Civil Engineering	1.87%	23.26%	No	1.31%	2.33%	No
(1170) Realty Specialist	8.82%	0.0%	Yes	0.0%	0.0%	No
(2101) Transportation Specialist	4.59%	14.29%	No	2.04%	0.0%	Yes

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) Yes X No 0  
b. Qualified Applicants for MCO (PWTD) Yes X No 0

**Source: Table B6-P Applicants for Internal Competitive Promotions for Major Critical Occupations by Disability** PWD qualified as applicants at a rate lower than the relevant applicant pool within the Environmental Specialists, Engineering Technicians, Realty Specialist, and Transportation Specialist series indicating triggers. PWTD qualified as applicants at a lower rate than the relevant applicant pool within the Community Planner, Engineering Technician, and Transportation Specialist series indicating triggers.

MCO	PWD		Triggers	PWTD		Triggers
	Table Relevant Applicant Pool	Table B6-P Qualified Internal Applicants	Yes/No	Table Relevant Applicant Pool	Table B6-P Qualified Internal Applicants	Yes/No
(0020) Community Planner	8.93%	15.38%	No	3.57%	0.0%	Yes
(0028) Environmental Specialist	9.48%	3.28%	Yes	0.86%	1.64%	No
(0501/0505) Financial Specialist	11.25%	28.00%	No	2.50%	28.00%	No
(0802) Engineering Technician	11.25%	0.00%	Yes	2.50%	0.0%	Yes

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

MCO	PWD		Triggers	PWTD		Triggers
	Table Relevant Applicant Pool	Table B6-P Qualified Internal Applicants	Yes/No	Table Relevant Applicant Pool	Table B6-P Qualified Internal Applicants	Yes/No
(0810) Civil Engineering	7.57%	9.73%	No	1.45%	5.06%	No
(1170) Realty Specialist	5.56%	0.0%	Yes	0.00%	0.0%	No
(2101) Transportation Specialist	8.31%	4.59%	Yes	2.56%	2.04%	Yes

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) Yes X No 0  
b. Promotions for MCO (PWTD) Yes X No 0

**Source: Table B6-P Selections for Internal Competitive Promotions for Major Critical Occupations by Disability.** PWD were selected at a rate lower than the qualified internal applicant pool within the Community Planner, Environmental Specialists, and Financial Specialists series indicating triggers. PWTD were selected at a lower rate than the qualified internal applicant pool within the Environmental Specialist, Financial Specialist and Civil Engineering series indicating triggers.

MCO	PWD		Triggers	PWTD		Triggers
	Table B6-P Qualified Internal Applicant	Table B6-P Selections	Yes/No	Table B6-P Qualified Internal Applicant	Table B6-P Qualified Internal Applicants	Yes/No
(0020) Community Planner	15.38%	0.0%	Yes	0.0%	0.0%	No
(0028) Environmental Specialist	3.28%	0.0%	Yes	1.64%	0.0%	Yes
(0501/0505) Financial Specialist	28.0%	0.0%	Yes	28.00%	0.0%	Yes
(0802) Engineering Technician	0.00%	22.22%	No	0.0%	0.0%	No
(0810) Civil Engineering	9.73%	12.50%	No	5.06%	0.0%	Yes

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

<b>MCO</b>	<b>PWD</b>		<b>Triggers</b>	<b>PWTD</b>		<b>Triggers</b>
	Table B6-P Qualified Internal Applicant	Table B6-P Selections	Yes/No	Table B6-P Qualified Internal Applicant	Table B6-P Qualified Internal Applicants	Yes/No
(1170) Realty Specialist	0.00%	100.0%	No	0.0%	0.0%	No
(2101) Transportation Specialist	4.59%	18.18%	No	2.04%	9.09%	No

**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**

1. Describe the agency's plan to ensure PWD, including PWTD, have sufficient opportunities for advancement.

FHWA employees, including PWD and PWTD, are provided equal access to career development opportunities for advancement. Promotion opportunities are posted on FHWA's internal StaffNet site and USAJOBS, and emails are sent to all employees with a link to the vacancy announcement on USAJOBS.

The opportunity for advancement is the same for all employees. Career ladders are established based on the position and the needs of the office. This reduces any negative impact on PWD and PWTD.

**B. Career Development 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. Within the Office of Human Resources, the Agency has staff dedicated to the development of a catalog of professional and leadership opportunities. FHWA institutes a number of career development programs that support and prepare our Agency's employees for enhanced performance and career advancement. These programs target employees at all levels in a variety of venues. The programs are as follows: The Professional Development Program (PDP), FHWA 360 Degree Leadership Assessment, Discipline Support System, Is Supervision for Me?, Building the Foundation for Visionary Leadership, Career Advancement Webinar Series, Critical

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

Human Resources Skills, Formal Mentoring Program, Individual Development Plan Workshop, Launch Point-New Supervisory Residency Program, Leadership Competency Certificate Program, Leadership Development Academy (LDA), Management and Supervision Forum Webinar Series, and Organizational Facilitation.

2. In the table below, please provide the data for career development opportunities that require competition and/or supervisory recommendation/approval to participate.

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Internship Programs	101	101	8.9	8.9	2	2
Fellowship Programs	0	0	0.0	0.0	0.0	0.0
Mentoring Programs	64	52	15.6	9.6	3.1	1.9
Coaching Programs	0	0	0.0	0.0	0.0	0.0
Training Programs	309	274	7.1	6.5	1.29	1.09
Detail Programs	8	7	12.5	14.2	0.0	0.0
Other Career Development Programs	43	43	11.6	11.6	2.3	2.3

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

- a. Applicants (PWD) Yes ☒ No ☐  
b. Selections (PWD) Yes ☒ No ☐

Using the % of PWD at the start of FY 21, 10.84% (Source: Table B1-1) as the relevant applicant pool: Applicant Triggers exist for the Internship and Training Programs. Selectee Triggers exist for the Internship, Mentoring, and Training programs.

4. 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) Yes ☒ No ☐  
b. Selections (PWTD) Yes ☒ No ☐



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

Using the % of PWTD at the start of FY 21, 2.75% (Source: Table B1-1) as the relevant applicant pool: Applicant Triggers exist for the Internship, Training, and Other Career Development Programs. Selectee Triggers exist for the Internship, Mentoring, Training, and Other Career Development Programs.

**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) Yes X No 0  
b. Awards, Bonuses, & Incentives (PWTD) Yes 0 No X

**Source: Table B9** When analyzing award categories separately, Cash Awards indicated YES triggers for both PWD/PWTD when compared to their inclusion rates. Additionally, the Time-off Awards analysis indicated no trigger for PWTD. Note: This tables utilizes additional data to anlayze triggers. (See table below)

PY 21 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
<b>Formula</b>	[Subtract the Total # of Persons with Disability (PWD) recipients from the Total # of Recipients]	<b>Inclusion Rate</b> [Divide the Total # of PWD and Persons with Targeted Disabilities (PWTD) recipients by their total # in the permanent workforce]	<b>Benchmark- Inclusion Rate</b> [Divide the Pw/oD # receiving awards into their respective # in permanent workforce]	[Triggers exist if Inclusion Rate for PWD or PWTD is less than Inclusion rate for Pw/oD]
<b>PWD Cash</b>	2233-266= <b>1967</b>	197/315= <b>62.54%</b>	1967/2407= <b>81.72%</b>	<b>Yes</b>
<b>PWTD Cash</b>		69/79= <b>87.34%</b>		<b>No</b>
<b>PWD Time-Off</b>	1892-211= <b>1681</b>	155/315= <b>49.21%</b>	1681/2407= <b>69.84%</b>	<b>Yes</b>
<b>PWTD Time-Off</b>		56/79= <b>70.89%</b>		<b>No</b>

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) Yes X No 0  
b. Pay Increases (PWTD) Yes X No 0

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

**Source: Table B9** When analyzing the quality step increase award category separately, there were triggers for both PWD and PWTD when compared to its inclusion rates. (See the table below)

PY 21 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD QSI	38-1=37	1/315= 0.32%	37/2407=1.54%	Yes
PWTD QSI		0/79= 0.00%		Yes

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) Yes X No 0 N/A 0  
b. Other Types of Recognition (PWTD) Yes 0 No X N/A 0

**Source: Table B9** When analyzing the Honorary award category separately, there was no trigger indicated for PWD and PWTD when compared to their inclusion rate. There was no trigger for SES awards. Note: This tables utilizes additional data to analyze triggers. (See the table below)

PY 21 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD SES	45-3= 42	3/3= 100%	42/50=84.00%	No
PWTD SES		0/0= N/A		No
PWD Honorary Awards	145-19=126	19/315= 6.03%	126/2407= 5.23%	No
PWTD Honorary Awards		5/79= 6.33%		No
PWD All Awards	2665-300 = 2365	300/315 = 95.24%	2365/2407 = 98.25%	Yes
PWTD All Awards		79/79 = 100%		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

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

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) Yes X No 0
  - ii. Internal Selections (PWD) Yes X No 0
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWD) Yes X No 0
  - ii. Internal Selections (PWD) Yes 0 No X
- c. Grade GS-13/14
  - i. Qualified Internal Applicants (PWD) Yes X No 0
  - ii. Internal Selections (PWD) Yes 0 No X

**Source: Table B-7 INTERNAL SELECTIONS FOR SENIOR LEVEL (GS 13/14, GS 15, and SES) POSITIONS by PWD**

The Agency used Table B-7 to analyze the applicant flow of internal applicants and/or selections for promotions by grade and PWD to the senior level (analysis included grades 13-15, SES). PWD applicants qualify at rates lower than they apply for the GS 13/14, GS 15, and SES grade levels. Of those qualified, PWD are internally selected at rates lower than they are qualified for the SES indicating Internal Selection triggers. Analysis to identify triggers using Table B-7 are displayed below:

Senior Grade Level	PWD				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
GS-13/14	10.32%	7.05%	Yes	11.21%	No
GS-15	6.79%	0.67%	Yes	30.00%	No
SES	8.51%	4.55%	Yes	0.00%	Yes

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) Yes 0 No X
  - ii. Internal Selections (PWTD) Yes X No 0
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWTD) Yes X No 0
  - ii. Internal Selections (PWTD) Yes X No 0
- c. Grade GS-13/14
  - i. Qualified Internal Applicants (PWTD) Yes 0 No X
  - ii. Internal Selections (PWTD) Yes X No 0

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**Source: Table B-7 INTERNAL SELECTIONS FOR SENIOR LEVEL (GS 13/14, GS 15, and SES) POSITIONS by PWTD**

The Agency used Table B-7 to analyze the applicant flow of internal applicants and/or selections for promotions by grade and PWTD to the senior level (analysis included grades 13-15, SES). PWTD applicants qualify at rates lower than they apply at the GS-13/14 and SES level. Analysis to identify triggers using Table B-7 are displayed below:

Senior Grade Level	PWTD				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTIONS	Triggers Yes/No
GS-13/14	2.14%	3.48%	No	3.34%	Yes
GS-15	1.89%	0.67%	Yes	0.00%	Yes
SES	3.83%	4.55%	No	0.00%	Yes

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) Yes X No 0  
b. New Hires to GS-15 (PWD) Yes X No 0  
c. New Hires to GS-13/14(PWD) Yes 0 No X

**Source: B7 New Hires for Senior Level (GS 13/14, GS 15, and SES Positions by Disability**

The Agency used a datamart table to analyze the applicant flow of qualified applicants and/or selections for promotions by grade and PWD to the senior level (analysis included grades 13-15, SES). Of those qualified, PWD are selected at rates lower than the rate of those qualified for the GS 15 and SES levels, indicating selection triggers. Analysis to identify triggers using Table are displayed below:

Senior Grade Level	PWD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
GS-13/14	5.39%	24.27%	No
GS-15	5.77%	0.00%	Yes
SES	4.79%	0.00%	Yes

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) Yes X No 0  
b. New Hires to GS-15 (PWTD) Yes X No 0  
c. New Hires to GS-13/14(PWTD) Yes 0 No X

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**Source: B7 New Hires for Senior level (GS 13/14, GS 15, and SES Position by Disability.**

When analyzing the applicant flow of qualified applicants and/or selections for New Hires by grade and PWTB to the senior level (analysis included grades 13-15, SES). Of those qualified, PWTB are selected at rates lower than they are qualified at the SES and GS 15 level indicating a selection trigger. Analysis to identify triggers using Table are displayed below:

Senior Grade Level	PWTB		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
GS-13/14	2.17%	2.94%	No
GS-15	1.92%	0.00%	Yes
SES	1.76%	0.00%	Yes

5. Does your agency have a trigger involving PWTB among the qualified *internal* applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box.

a. Executives

- i. Qualified Internal Applicants (PWTB) Yes X No 0  
ii. Internal Selections (PWTB) Yes X No 0

b. Managers

- i. Qualified Internal Applicants (PWTB) Yes X No 0  
ii. Internal Selections (PWTB) Yes 0 No X

c. Supervisors

- i. Qualified Internal Applicants (PWTB) Yes X No 0  
ii. Internal Selections (PWTB) Yes 0 No X

**Source: Table B8.** PWTB were selected at rates lower than the qualified applicant pool within the Executive ranks indicating a trigger.

Supervisory Positions	PWTB				
	RELEV APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTIONS	Triggers Yes/No
Executive	8.51%	4.55%	Yes	0.00%	Yes
Managers	6.79%	1.37%	Yes	30.00%	No
Supervisors	10.34%	9.22%	Yes	16.67%	No

6. Does your agency have a trigger involving PWTB among the qualified *internal* applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box.

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

- a. Executives
  - i. Qualified Internal Applicants (PWTD) Yes 0 No X
  - ii. Internal Selections (PWTD) Yes X No 0
- b. Managers
  - i. Qualified Internal Applicants (PWTD) Yes X No 0
  - ii. Internal Selections (PWTD) Yes X No 0
- c. Supervisors
  - i. Qualified Internal Applicants (PWTD) Yes 0 No X
  - ii. Internal Selections (PWTD) Yes X No 0

**Source: Table B8 Internal Selections of New Supervisors by Positions by Disability**  
 PWTD were selected at rates lower than the qualified applicant pool within all the ranks indicating a trigger.

Supervisory Positions	PWTD				
	RELEV APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTIONS	Triggers Yes/No
Executives	3.83%	4.55%	No	0.00%	Yes
Managers	1.89%	1.37%	Yes	0.00%	Yes
Supervisors	2.08%	3.55%	No	0.00%	Yes

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) Yes X No 0
- b. New Hires for Managers (PWD) Yes X No 0
- c. New Hires for Supervisors (PWD) Yes X No 0

**Source: Table B8 New Supervisors by Positions by Disability**  
 PWD were selected at rates lower than the qualified applicant pool within the Executive, Manager and Supervisor ranks indicating triggers.

Supervisory Positions	PWTD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
Executives	4.79%	0.00%	Yes
Managers	4.21%	0.00%	Yes
Supervisors	5.58%	0.00%	Yes

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) Yes X No 0
- b. New Hires for Managers (PWTD) Yes X No 0
- c. New Hires for Supervisors (PWTD) Yes X No 0

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**Source: Table B8 New Supervisors by Positions by Disability**

PWTD were selected at rates lower than the qualified applicant pool within all the ranks indicating a trigger.

Supervisory Positions	PWTD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
Executives	1.76%	0.00%	Yes
Managers	1.05%	0.00%	Yes
Supervisors	1.02%	0.00%	Yes

**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.

Yes 0                  No X                  N/A 0

All but one Schedule A employee was converted after 2 years of satisfactory service. The employee who was not converted had performance and conduct problems that were being addressed, so conversion was not appropriate.

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)   | Yes 0 | No X |
| b. Involuntary Separations (PWD) | Yes 0 | No X |

Based on the inclusion rate, in FY 21, the voluntary separation rate for PWD (5.99%) was lower to that of employees without a disability (7.80%) for the total workforce. The PWD involuntary separation rate (0.0%) lower than the non-PWD involuntary separation rate (0.04%) in FY 21 for the total workforce. (Table B1-2)



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<b>FY21 Separations</b>	<b>Inclusion Rate for EEO Group</b>	<b>FHWA Total Permanent Workforce Inclusion Rate/Benchmark</b>	<b>Trigger</b>
<b>Formula</b>	<b>Inclusion Rate</b> [Divide the Total # of PWD or PWD separations by their total # in the FHWA permanent workforce]	<b>Benchmark-Inclusion Rate</b> [Divide the Pw/oD separations into their respective # in Perm Workforce]	<b>Triggers</b> exist if Inclusion rate for PWD is higher than Inclusion rate for Pw/oD]
<b>PWD Voluntary*</b>	<b>18/315 = 5.71%</b>	<b>184/2407 = 7.64%</b>	<b>No</b>
<b>PWD Involuntary</b>	<b>0/315 = 0.00%</b>	<b>1/2407 = 0.4%</b>	<b>No</b>

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) Yes 0 No X
- b. Involuntary Separations (PWTD) Yes 0 No X

**Table B-1 - Separations by Type of Separation - Distribution by PWD - Permanent Workforce**

*Source: FHWA Datamart database*

The Agency used Table B-1 to analyze the Separations by Type (voluntary/involuntary) by distribution of PWTD. PWTD separated at a lower rate when compared to their inclusion rate/benchmark for voluntary separations does not indicate a trigger.

Analysis to identify triggers using Table B-1 are displayed below:

<b>FY 21</b>	<b>Inclusion Rate for EEO Group</b>	<b>FHWA Total Permanent Workforce Inclusion</b>	<b>Trigger</b>
<b>Formula</b>	<b>Inclusion Rate</b> [Divide the Total # of PWTD separations by their total # in the FHWA permanent workforce]	<b>Benchmark-Inclusion Rate</b> [Divide the Pw/oTD separations into their respective # in Perm Workforce]	[ <b>Triggers</b> exist if Inclusion rate for PWTD is higher than Inclusion rate for Pw/oTD]
<b>PWTD Voluntary</b>	<b>2/79 = 2.53%</b>	<b>184/2407 = 7.64%</b>	<b>No</b>
<b>PWTD Involuntary</b>	<b>0/79 = 0.00%</b>	<b>1/2407 = 0.04%</b>	<b>No</b>

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.



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

No trigger has been identified.

**B. Accessibility of Technology and Facilities**

Pursuant to 29 C.F.R. § 1614.203(d)(4), federal agencies are required to inform applicants and employees of their rights under Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794(b), concerning the accessibility of agency technology, and the Architectural Barriers Act of 1968 (42 U.S.C. § 4151-4157), concerning the accessibility of agency facilities. In addition, agencies are required to inform individuals where to file complaints if other agencies are responsible for a violation.

1. Please provide the internet address on the agency's public Website for its notice explaining employees' and applicants' rights under Section 508 of the Rehabilitation Act, including a description of how to file a complaint.

The internet address on the FHWA's public Website regarding Section 508 of the Rehabilitation Act of 1973, including a description of how to file a complaint is <https://www.fhwa.dot.gov/508/>.

2. Please provide the internet address on the agency's public Website for its notice explaining employees' and applicants' rights under the Architectural Barriers Act, including a description of how to file a complaint.

The internet address on the FHWA's public Website regarding Architectural Barriers Act is <https://www.fhwa.dot.gov/accessibility/>.

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 FHWA has outlined for its employees an expectations memo in relation to Accessibility. This memo provides roles and responsibilities for staff to follow if they are hosting a virtual event. Also, FHWA has made modifications to the MS TEAMS Webconferencing format to allow for audio/bridge lines to ensure video relay services can connect into meetings.

**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.)

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

In FY 21, FHWA's average time to process requests is 65 days. 44% of the time FHWA processes reasonable accommodation requests in a timely manner as set forth by DOT Order 1101.1B. Requests are processed through the Department's Reasonable Accommodations Online Tracking System (RAMS).

2. Describe the effectiveness of the policies, procedures, or practices to implement the agency's reasonable accommodation program. Some examples of an effective program include timely processing requests, timely providing approved accommodations, conducting training for managers and supervisors, and monitoring accommodation requests for trends.

During FY 21, FHWA developed its draft Reasonable Accommodation procedures to comply with DOT Order 1101.1B. In addition, FHWA has developed and revised several resources for employees and managers. These resources include the following: medical documentation template; closeout letter; and overview checklists for managers for reasonable accommodation responsibilities. In addition, the Disability Program Manager provided training at HR's Manager and Supervisor's Forum on the Reasonable Accommodation process. This training included links to related to COVID-19 guidance from EEOC and other internal resources. The Disability Program Manager was a panelist at the EEO Virtual Awareness Symposium for Agency employees.

**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 for PAS, timely providing approved services, conducting training for managers and supervisors, and monitoring PAS requests for trends.

This is handled at the Departmental level by the US Department of Transportation.

**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?  
Yes X      No 0      N/A 0
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?  
Yes 0      No X      N/A 0

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

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.

Not applicable.

**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?

Yes ☒ No ☐ N/A ☐

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?

Yes ☐ No ☒ N/A ☐

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.

Not applicable.

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

As part of its planned activities, FHWA developed a draft Reasonable Accommodations Handbook; however, the latest DOT Reasonable Accommodation Order 1101.1B was signed in January 2021. Therefore, the Agency opted to develop Reasonable Accommodation procedures to be in compliance with the DOT Reasonable Accommodation Order 1101.1B. Once the FHWA Reasonable Accommodation procedures are approved, we will develop a managers and employees toolkit, which will consist of manager checklists, sample letters, and one-page summaries for managers and employees.

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

Completed activities included the Reasonable Accommodations session at the 2021 FHWA's EEO Virtual Awareness Symposium and Managers and Supervisor's Forum. The impact of these sessions was educational awareness for managers to communicate effectively with employees on accommodation needs. In addition, FHWA's recruitment and outreach efforts that focus on the employment of persons with disabilities had an impact of developing and/or maintaining relationships with disability organizations and colleges with disability offices. This increased visibility of FHWA and broadened our outreach.

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**U.S. Equal Employment Opportunity Commission**  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS 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 22 MD-715 report.

**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?  
Yes X                      No 0
  
2. Has the agency established a plan to correct the barrier(s) involving PWD and/or PWTD?  
Yes X                      No 0                      N/A 0
  
3. Has barrier(s), objective(s), responsible official(s), planned activities, and, where applicable, accomplishments.

<b>Trigger 1</b>	Individuals with targeted disabilities (PWTD) have a low participation rate in the FHWA workforce in grades GS13-SES.
<b>Barrier(s)</b>	Recruitment Practices; FHWA focuses recruitment on distributing competitive vacancy announcements.
	Reasonable Accommodation; FHWA needs to finalize and market its written procedures for Reasonable Accommodations for FHWA employees
<b>Objective(s)</b>	Increase hiring managers' and HR Specialists' awareness and knowledge of how to use non-competitive hiring authorities for individuals with disabilities (Schedule A; "On-the-Spot"). Increased awareness of this hiring flexibility will assist the Agency in reaching the EEOC hiring goal that 2% of all new hires at GS 1-10 and GS 11-SES should be PWTD.
	The purpose of developing and implementing FHWA-specific reasonable accommodation procedures is to provide employees as well as supervisors and managers with an easy-to-understand, step-by-step explanation of the Reasonable Accommodation process. These procedures outline the steps for requesting or responding to requests for Reasonable Accommodation at FHWA.

<b>Responsible Official(s)</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
David Lewis, Director, Office of Human Resources	YES
Tanya Emam, Operations Team Leader, Office of Civil Rights	YES

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**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

<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)	YES	
Climate Assessment Survey (e.g., FEVS)	YES	
Exit Interview Data	NO	
Focus Groups	NO	
Interviews	NO	
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	YES	
Other (Please Describe)	YES	Agency Recruitment Plan; Diversity Hiring Guide; & Merit Promotion Plan

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
Ongoing	Educate hiring managers and HR Specialists on available hiring flexibilities to include Schedule A through the revamped and user-friendly hiring tool kit.	YES	9/30/2022	<del>09/30/2021</del>
Ongoing	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.	YES	9/30/2022	<del>09/30/2021</del>

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

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
Ongoing	Develop step by step procedures on the Reasonable Accommodations process in easy to use format for employees.	YES	9/30/2022	<del>09/30/2021</del>

<b>Fiscal Year</b>	<b>Accomplishments</b>
2018	FHWA will report out updates and accomplishments in the FY 19 and FY 20 MD-715 report.
2019	<p>Draft Reasonable Accommodations handbook developed and reviewed.</p> <p>In 2019, FHWA conducted a two-part Webinar on Schedule A Hiring and Reasonable Accommodations within the Agency's Management and Supervisory Forum Webinar Series. The Management &amp; Supervision Forum is a monthly Webinar series providing learning opportunities for individuals who serve as supervisors, team leaders, and managers. It is part of the Office of Human Resources' ongoing effort to give all employees the tools and information to chart their own course for performance improvement, learning, career development, as well as personal growth. The session provided participants with information that was designed to help them to:</p> <ul style="list-style-type: none"> <li>• Understand how Schedule A works and the benefits of using this hiring authority.</li> <li>• Use available hiring tools to find qualified Schedule A candidates with disabilities.</li> <li>• Cite manager's responsibilities in engaging the Reasonable Accommodations process</li> <li>• Recall the steps in the Reasonable Accommodations process</li> <li>• Follow the right order and appropriate steps in the Reasonable Accommodations process.</li> </ul> <p>The FHWA also conducted biannual Workforce planning conversations. Workforce Planning conversations are scheduled meetings between servicing HR specialists and organizational unit leaders (Division Administrators), which focus on workforce planning at the unit level rather than agencywide. The conversations provided an opportunity to discuss anticipated vacancies, possible separations and retirements, and hiring flexibilities, especially those that align with the Strategic Workforce Assessment. These strategic conversations were used to educate and highlight the Schedule A hiring flexibility.</p>

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**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

<b>Fiscal Year</b>	<b>Accomplishments</b>
2020	The Agency continued efforts to improve recruitment and hiring of PWTB by conducting Webinars in support of Schedule A Hiring and Reasonable Accommodations as part of the Agency's Hot off the HR Desk series as well as the Management & Supervision Forums. The Agency established a Reasonable Accommodation Working Group to develop materials in support of the Reasonable Accommodations process. The draft documents were not finalized due to the anticipated revisions of the Departmental RA order.
2021	The draft procedures are complete for Reasonable Accommodations. They are currently under internal review.

<b>Trigger 2</b>	Individuals with disabilities (PWD) and targeted disabilities (PWTB) have a lower participation rate in selection for FHWA leadership pipeline positions in grades GS13-SES.
<b>Barrier(s)</b>	Career Development, Internal Promotion, & New Hires: FHWA explores potential blocked pipelines in grade. The DOT has not identified the causes of the condition at the time of reporting.
	Reasonable Accommodation: FHWA explores reasonable accommodation and accessibility needs of applicants to address the lower participation rate for new hires in selection at higher grades (GS 15/SES).
<b>Objective(s)</b>	New in FY 21: FHWA will continue to implement and explore leadership pipeline efforts within internal promotion practices for PWD and PWTB (i.e., interviewing, locational qualification considerations, performance reviews/awards, etc.). Align and jointly perform this effort with (Section I2- Identified Plan to Eliminate Barriers of the FY 21 MD 715 Report)

<b>Responsible Official(s)</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
David Lewis, Director, Office of Human Resources	YES
Tanya Emam, Operations Team Leader, Office of Civil Rights	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)	YES	
Climate Assessment Survey (e.g., FEVS)	NO	
Exit Interview Data	NO	

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

<b>Sources of Data</b>	<b>Sources Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>
Focus Groups	NO	
Interviews	NO	
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	YES	
Other (Please Describe)	YES	Agency Recruitment Plan; Diversity Hiring Guide; & Merit Promotion Plan

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
	New Deficiency			

<b>Fiscal Year</b>	<b>Accomplishments</b>
	New Deficiency