



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

Memorandum

Subject: **ACTION**: Management Directive 715
Report for Fiscal Year 2022

Date:

From: Irene Rico
Associate Administrator
for Civil Rights

In Reply Refer To:
HCR-10

To: Shailen P. Bhatt
Administrator

Attached is the Federal Highway Administrations submission of the Management Directive 715 Report for Fiscal Year (FY) 2022.

A briefing was held on Wednesday, May 24th on this subject. The report includes the Agency's self-assessment on demonstrating efforts to be a model Equal Employment Opportunity (EEO) Program. It also highlights workforce analysis performed to support current and planned Agency activities in recruitment, outreach, training, performance management, and strategic focus. Please sign the signatory page.

If you have any questions regarding the report, please contact Tanya Emam, Operations Team Leader, at (202)366-3493 or Lucy Marius, EEO Management & Program Analyst (202)366-3384.

Attachment

U.S. Department of Transportation
Federal Highway Administration
Fiscal Year 2022

MANAGEMENT DIRECTIVE 715 ANNUAL EEO PROGRAM STATUS REPORT



U.S. Department of Transportation
Federal Highway Administration

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Table of Contents

Parts A – E. Identification, General Employment Totals, and Executive Summary 3

Part F. Certification of Establishment of Continuing EEO Programs 36

Part G. Agency Self-Assessment Checklist Measuring Essential Elements..... 37

Part H. EEO Plan to Attain the Essential Elements of a Model EEO Program..... 67

Part I. EEO Plan to Eliminate Identified Barriers 71

Part J. Special Program Plan for the Recruitment, Hiring, Advancement, and Retention of
Persons with Disabilities..... 78

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Parts A Through E

Part A - Department or Agency Identifying Information

Agency	Second Level Component	Address	City	State	Zip Code	Agency Code	FIPS Code
U.S. Department of Transportation	Federal Highway Administration	1200 New Jersey Avenue, SE	Washington	DC	20590	TD04	1100100001

Part B - Total Employment

Total Employment	Permanent Workforce	Temporary Workforce	Total Workforce
Number of Employees	2723	8	2731

Part C.1 - Head of Agency and Head of Agency Designee

Agency Leadership	Name	Title
Head of Agency	Shailen P. Bhatt	Administrator
Head of Agency Designee	Gloria M. Shepherd	Executive Director

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	Irene.Rico@dot.gov
Affirmative Employment Program Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	Nikisha.Bennett@dot.gov
Complaint Processing Program Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	Nikisha.Bennett@dot.gov

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

EEO Program Staff	Name	Title	Occupational Series	Pay Plan and Grade	Phone Number	Email Address
Diversity & Inclusion Officer	Shakira Crandol-McMillan	Chief DEI Officer	0340	GS-15	202-366-6731	Shakira.Crandol@dot.gov
Hispanic Program Manager (SEPM)	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	Nikisha.Bennett@dot.gov
Women's Program Manager (SEPM)	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	Nikisha.Bennett@dot.gov
Disability Program Manager (SEPM)	Kirsten Poston	Disability Policy Manager	0301	GS-13	202-559-5116	Kirsten.Poston@dot.gov
Special Placement Program Coordinator (Individuals with Disabilities)	Joy Liang	Program Analyst	0343	GS-13	202-366-05370537	Joy.Liang@dot.gov
Reasonable Accommodation Program Manager	Kirsten Poston	Disability Policy Manager	0301	GS-13	202-559-5116	Kirsten.Poston@dot.gov
Anti-Harassment Program Manager	Anita Heard	Anti-Harassment & Equity Coordinator	0301	GS-14	202-366-1607	Anita.Heard@dot.gov
ADR Program Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	Nikisha.Bennett@dot.gov

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

EEO Program Staff	Name	Title	Occupational Series	Pay Plan and Grade	Phone Number	Email Address
Compliance Manager	Nikisha M. Bennett	Internal EEO and Special Emphasis Program Manager	0360	GS-14	202-366-3894	Nikisha.Bennett@dot.gov
Principal MD-715 Preparer	Lucy Marius	EEO Programs and Management Analyst	0343	GS-13	202-366-3894	Lucy.Marius@dot.gov
Other EEO Staff	Tanya Emam	Operations Team Leader, Office of Civil Rights	0301	GS-15	202-366-3493	Tanya.Emam@dot.gov

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

Please identify the subordinate components within the agency (e.g., bureaus, regions, etc.).

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

Subordinate Component	City	State	Agency Code	FIPS Codes
Division Office – The Federal Highway Administration (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

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Subordinate Component Division Office – The Federal Highway Administration (FHWA) has a Division Office in each of the 50 States, the District of Columbia, and Puerto Rico.	City	State	Agency Code	FIPS Codes
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
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

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Subordinate Component Division Office – The Federal Highway Administration (FHWA) has a Division Office in each of the 50 States, the District of Columbia, and Puerto Rico.	City	State	Agency Code	FIPS Codes
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.

Did the agency submit the following mandatory documents?	Please respond Yes or No	Comments
Organizational Chart	Yes	
EEO Policy Statement	Yes	
Strategic Plan	Yes	
Anti-Harassment Policy and Procedures	Yes	

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Did the agency submit the following mandatory documents?	Please respond Yes or No	Comments
Reasonable Accommodation Procedures	Yes	The Departmental Office of Civil Rights submits this document on behalf of DOT. The FHWA began developing their Reasonable Accommodation Procedures during Fiscal Year (FY) 2022.
Personal Assistance Services Procedures	Yes	The Departmental Office of Civil Rights submits this document on behalf of DOT.
Alternative Dispute Resolution Procedures	Yes	The Departmental Office of Civil Rights submits this document on behalf of DOT.

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

Did the agency submit the following optional documents?	Please respond Yes or No	Comments
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.
EEO Strategic Plan	No	The Office of Civil Rights plans to develop their EEO Plan for (FY 23-27) which includes EEO.
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	Yes	The FHWA conducts an All-Employee Survey every 2 years in addition to Office of Personnel Management's (OPM) FEVS.

Part E – Executive Summary

All agencies must complete Part E.1; however, only agencies with 199 or fewer employees

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

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 Part E.2 to E.5.

Part E.1 - Executive Summary: Mission

The FHWA submission of the annual Equal Employment Opportunity (EEO) Program Status Report for FY 22 Management Directive (MD) 715 Report and plan were prepared in accordance with the U.S. Equal Employment Opportunity Commission laws and authority governed under Section 717 of the Civil Rights Act of 1964, as amended; and Section 501 of the Rehabilitation Act of 1973, as amended. This report highlights FHWA's accomplishments in establishing and maintaining a model EEO Program for FY 22.

The FHWA is an Operating Administration within 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 DC., 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 Associate Administrator for the Office of Civil Rights reports to the career executive director.

The FHWA's mission is to "to deliver world-class highway and street programs that advance safe, efficient, equitable, and sustainable mobility choices for all while strengthening the Nation's economy." The FHWA developed its Strategic Plan which outlines the goals and objectives of FHWA from FY 22-26, superseding the current FHWA Strategic Plan. This Plan was developed to align FHWA efforts with the FY 22-26 DOT Strategic Plan and reflects the priorities of Agency leadership. The FHWA's Strategic Plan adopts DOT's goals and objectives and aligns its strategies and related program initiatives and performance measures with DOT's Plan. The FHWA's FY 22-26 Strategic Plan details how FHWA will advance this mission while addressing the opportunities and challenges that it faces over the next 4 years as it implements the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act. The FHWA's priorities, as it implements this legislation, are those that are expressed in the legislation itself and in the DOT Strategic Plan: Safety, economic strength and global competitiveness, equity, climate and sustainability, transformation, and organizational excellence.

Part E.2 - Executive Summary: Essential Element A – F

Element A- Demonstrated Commitment from Agency Leadership

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

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Agency's hierarchy from senior executives, managers, and supervisors to all employees. Efforts to demonstrate this commitment include:

- 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 equal opportunity training, 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 October 24, 2022, Gloria M. Shepherd was confirmed as the Executive Director of FHWA. As Executive Director, Ms. Shepherd manages the Agency's daily operations and its personnel, and advises the Administrator, Deputy Administrator, and senior officials throughout DOT.

Andrew Rogers was named Deputy Administrator of FHWA on February 27, 2023. Mr. Rogers works alongside the FHWA Administrator and the FHWA Executive Director to establish Agency program policies, objectives, and priorities, and provide direction to FHWA Headquarters and field organizations in implementing the vision and strategic goals for DOT and FHWA.

Nominated by President Biden on July 21, 2022, Shailen P. Bhatt was confirmed as Administrator of FHWA on December 8, 2022. In this role, Mr. Bhatt is leading FHWA in administering more than \$350 billion as part of President Biden's BIL, including formula and competitive grant programs that are available to a range of grant recipients, including State departments of transportation, metropolitan planning organizations, local governments, Tribes, territories, and Federal land management agencies.

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 in the Agency's EEO Virtual Awareness Symposium, setting expectations for the Anti-Harassment Program, supporting Special Emphasis programs, supporting equity based initiatives through DOT, and establishing the Chief 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. When the OPM began conducting the FEVS on an annual basis, FHWA AES frequency was reduced to every other year.

The FHWA had 2,153 employees out of 2,647 who shared their thoughts and provided feedback through the 2021 AES, which was conducted in January 2022 to avoid competing with the FEVS

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

in late 2021, resulting in a response rate of 81.3 percent. The number of respondents and participation rates from primary groups in the Agency are shown below.

FHWA Headquarters	648/856	75%
Office of Transportation Workforce Development and Technology	123/145	84%
Federal-aid Division Offices	896/963	93%
Federal Lands Highway	486/683	71%

Based on the results of the survey, the Human Resources Management Committee (HRMC) created an action plan to address lower scoring items. The action plan includes objectives and accountability measures that address the needs across the Agency in different offices. Each objective has a champion. The HRMC compiles and shares Agencywide a status of the actions. The HRMC can also conduct listening sessions to obtain additional input on specific topics at the request of Agency leadership.

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

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 equal opportunity into workforce, program delivery, and project management efforts. The FHWA developed a new Strategic Plan in FY 22, and the new strategic plan incorporates diversity, equity, inclusion, and accessibility in the strategic objectives. The Agency published its 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 make efforts to retain employees from all segments of American society and provide training and professional development opportunities to ensure that DOT and FHWA can successfully fulfill their missions.

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, including informal EEO counseling and affirmative EEO programs, for FHWA at the national level.
- In our effort to gather disability data, FHWA continued its efforts to encourage employees to complete the Workforce Standard Form (SF-256), resulting in an increased number of employees providing information about their disability status. All disability codes have been updated in the HR information system, and with increased self-identification, FHWA’s workforce numbers have seen an increase in persons with disabilities (PWD) and persons with targeted disabilities (PWTD).
- FHWA continues to communicate its Anti-Harassment Policy by including an overview, contacts, roles, responsibilities, and process for anti-harassment through our Office of

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Civil Rights site (Anti-Harassment Process – <https://www.fhwa.dot.gov/civilrights/programs/anti-harassment/>). The site is open to the public.

- 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. Throughout FY 22 this plan was periodically adjusted to reflect changing priorities and workforce needs.
- 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.
- FHWA continues to promote a culture that recognizes employee contributions using informal and formal recognition programs at the local and national level.
- Diverse pipeline recruitment initiatives included the Professional Development Program (PDP), Summer Transportation Internship Program for Diverse Groups (STIPDG), Pathways Internship Program, Dwight D. Eisenhower Transportation Fellowship Program, Future Leaders in Public Service internship 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 FHWA Office of Civil Rights. The FHWA's Office of Civil Rights Website includes details related to Reasonable Accommodation, 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 Human Resources Employee Relations staff and staff of the Office of Chief Counsel continued to work closely with 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 continued to work collaboratively with the Departmental Disability Resource Center to provide technical assistance to managers and supervisors and to work to timely process and track reasonable accommodation requests.

Several virtual technical assistance sessions were held with FHWA managers and employees during FY 22 to ensure managers were familiar with reasonable accommodation policies and procedures.

In recognition of DOT's FY 22 National Disability Employment Awareness Month (NDEAM), FHWA invited a keynote speaker to present on their experience integrating in the workforce. The FHWA also sponsored a number of Webinars on Assistive Technology and Section 508. More than 60 Managers/Supervisors participated in the Webinars.

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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 continued in FY 22.

Accessibility and 508 Compliance

The Section 508 program held 85 instructor-led training sessions in FY 22 to train employees on their responsibilities under Section 508. The Section 508 learning portal was launched where employees can take Section 508 training on demand.

The program launched a Section 508 awareness campaign by distributing a poster on to all staff and placing physical versions around the Headquarters building. The poster series will continue into 2023. Another part of this campaign was held in October sending out a series of “How accessible are you” challenges.

The Section 508 Program launched a Section 5 Take 5 series in January. The series focuses on one aspect of Section 508 each month. During the month, emails are distributed to all staff weekly discussing that aspect of Section 508. The emails that take about 5 minutes to read so people can become aware of the Section 508 requirement quickly.

Special Emphasis Programs

The FHWA Office of Civil Rights continues to utilize Special Emphasis Programs and engages with Employee Resource Groups to increase employee engagement 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 22, FHWA leadership championed, and 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: In collaboration with the African American Leaders in Transportation, an event “Honoring the Past as We Move Towards the Future” was held on February 17, 2022, that included former DOT Secretary, FHWA Administrator, Rodney E. Slater, and a panel of former FHWA leaders.
- Women’s History Month: In honor of 2022 Women’s History Month, a dynamic presentation on “Introduction and Status of Gender Inclusion within FHWA” was delivered by Thomas Everett, Executive Director on Women in addition, Stephanie Freese and Susan Philpott from the National Park Service delivered a historical presentation on the women’s suffrage movement.
- Asian American, Native Hawaiian and Pacific Islander (AANHPI) Heritage Month: On May 24, 2022, in collaboration with the Asian Pacific American Employees Council, FTA and FRA, an AANHPI celebration was held that featured a tribute to honor the life and works of former Secretary Norman Y. Mineta, fireside chat with panelists within FHWA, the Office of the Secretary (OST), the Federal Transit Administration, and Federal Railroad on the “Advancing Leaders Through Collaboration” as well as a special

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Asian Heritage performance.

- Lesbian, Gay, Bisexual, Transgender and Queer+ Pride Month: Pride month event was held on June 23, 2022. Meghan Walter with Pride in Federal Service (PFS) shared the history and background of PFS. Kelly Teale and Julie Burna, Park Rangers with the National Park Service will provide a historical presentation on the Stonewall National Monument and events that took place that catapulted the LGBTQ+ movement.
- Hispanic Heritage Month: On September 27, 2022, the FHWA employee resource group named the Assist, Motivate, Integrate, Guide and Orient (AMIGO) Workgroup and the Office of Civil Rights hosted a Hispanic Heritage Month Celebration “Unidos: Inclusivity for a Stronger Nation.” The event highlighted the AMIGO workgroup, Agency Hispanic initiatives, a dynamic panel of past and present Agency leadership with Hispanic backgrounds, and celebrated Hispanic culture through trivia, sharing stories and recipes.
- National American Indian Heritage Month: On November 16, 2022, and November 30, 2022, FHWA’s Office of Tribal Transportation on the Tribal Transportation Program with the support from the Office of Civil Rights hosted “The FHWA Consultation Role in Government-to-Government Relationships” and “Noteworthy Tribal Projects Built in 2022.” In these Webinars, FHWA shared its relationship with Tribes and showcased their unique and diverse Tribal cultures through the projects being implemented in their communities.
- National American Indian Heritage Month: On November 23, 2021, an event titled “Together Towards Tomorrow” was arranged by 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, FHWA 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 FHWA hosted a virtual training on the Anti-Harassment Process for Western Federal Lands Construction, an Anti-Harassment Fact Finders Workshop, and three virtual site visits were held for offices looking to have tailored Anti-Harassment training for their office employees.

Targeted Recruitment and Outreach Efforts

In FY 22, FHWA has continued to build upon 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:

- 157 virtual and in-person recruitment & outreach events
- 20 events with Historically Black Colleges and Universities (HBCU)
- 15 events with Hispanic Serving Institutions (HSI)
- Six events with Asian American and Native American Pacific Islander Institutions
- Two events targeting Native Americans
- Seven events targeting female professionals

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

- Three events targeting PWD
- Six events 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; Veterans Affairs Veterans Readiness Employment Program; State and local vocational rehabilitation agencies and employment offices; educational institutions, colleges, and universities; USAJOBS; and the USAJOBS Agency Talent 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 social media platforms and 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 internal advisory group of FHWA employees called the Innovation Exchange (iExchange), a multi-generational forum focused on exchanging ideas and inspiring innovation. While promoting and facilitating generational diversity, iExchange creates an environment that welcomes members and encourages the overall diversity of the Agency. Sponsored by the Knowledge Management (KM) unit, iExchange expanded its membership to over 250 employees. Over the course of FY 22, 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 22, 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 requirements and processes within FHWA. The virtual training sessions were well received and plans to expand the sessions to cover all FHWA offices is currently in the works for FY 23.

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Since the Agency rollout of the Anti-Harassment Policy Framework in 2019, FHWA Office of Civil Rights has developed regular outreach to employees and managers on the Anti-Harassment Process. The FHWA has revamped the Agency's Website and updated the current process <https://www.fhwa.dot.gov/civilrights/programs/Anti-Harassment/resources.cfm> to include our new Anti-Harassment & Equity Coordinator.

On May 10-12, 2022, the Office of Civil Rights hosted its second annual EEO symposium. During this symposium, several sessions such as:

- State of the Agency Briefing – MD-715
- Gender Inclusivity (Pronoun)
- Equity within DOT
- Role of Agency Counsel in Employment Law
- Prohibited Personnel Practices: Whistle Blower Protection
- Accessibility Tools and Resources
- Religious Accommodations
- Alternative Dispute Resolution
- Diversity and Inclusion Best Practices
- The Strategic Powers of ERGs
- Agency Leadership Panel: Successful Communication Styles
- Diversity Hiring Guide Overview and Discussion
- Which Lane Are You In? Panel

These sessions were provided to educate Agency employees on our workforce, and in the areas of Anti-Harassment, EEO, Diversity, conflict resolution, and effective communication.

The FHWA provides ad hoc training and outreach at the requests of the individual offices, for example, discussing anti-harassment at their weekly meetings.

The FHWA develops an on-site and virtual training schedule at the beginning of each year to provide anti-harassment training to the division offices.

The FHWA held two all-employee sessions on Respectful Workplace and two sessions on Leading for Respect (managers only); an Anti-Harassment Fact Finders Workshop; and three virtual site visits were held for offices looking to have tailored Anti-Harassment training for their office employees: Ohio Division Office, Colorado Division Office, and Tennessee Division Office.

Diversity Management Committee

The FHWA continued to utilize the Diversity Management Committee (DMC or committee) comprised of employees and leadership from various FHWA program and field offices to cultivate and advance several initiatives designed to improve organizational culture and raise awareness on the importance of having a diverse and inclusive organization.

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In FY 22 several of the committee members rotated off. In response, the co-chairs solicited new members to serve and hosted a two-day in-person training to complete action planning for the upcoming year. The in-person meeting included a one-day training session on Diversity of Thought: Fostering a Diverse and Inclusive Workplace.

The DMC also continued its Women's Forum Webinar series which is designed to foster greater connections among female employees at all levels. 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.

To improve cultural awareness, the DMC created Diversity Fact Sheets. The Diversity Fact Sheets provide summarized information on a wide assortment of DEIA-related concepts. The fact sheets serve as a compliment to DEIA training by providing easy-to-access information on topics that may not be familiar to Agency staff.

The DMC, in partnership with the Agency's Diversity Champions, continues to highlight a wide range of observances and traditions that acknowledge unique segments of our population. Each issue highlights cultural observances, holidays, training opportunities, breaking news, recipes, trivia, inspirational stories, employee resource/affinity group information, and more.

Element E- Efficiency

In FY 22, FHWA timely submitted to EEOC the Annual Federal EEO Statistical Report of Discrimination Complaints (EEOC Form 462) report and the Department's data call for inclusion in the Annual Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act) report. Furthermore, FHWA submitted its annual FEORP to OPM in April 2022.

The FHWA continues to ensure that all EEO policies are prominently posted in all personnel offices, employee bulletin boards, and on FHWA Civil Rights Website. All policies related to anti-discrimination laws, Civil Rights, EEO complaint process, the anti-harassment program, Departmental Reasonable Accommodations policies, and ADR are posted on FHWA Website (<https://www.fhwa.dot.gov/civilrights/>).

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 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, 2022, FHWA onboard strength showed a total of 2,731 employees, of whom 2,723 were permanent employees and eight were temporary employees.

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In FY 22, FHWA exceeded its 501 goal of 12 percent for new hires and onboarding of PWD, as well as its 2 percent goal for new hires and onboarding of PWTD. In FY 22, approximately 16.34 percent of all new hires were PWD, and 2.33 percent were PWTD. The PWD comprise 12.49 percent of the total FHWA workforce, which trends higher than the 11.63 percent reported in FY 2021. The PWTD comprise 2.97 percent of the total FHWA workforce, which trends slightly higher than the 2.93 percent reported for FY 2021.

Veterans with 30 percent or more disability represent 6.6 percent of all hires and make up 4.14 percent of the total workforce.

The FHWA reports out the following regarding the overall diversity of its workforce between FY 18 and FY 22:

- 1) Hispanic employees in FHWA's permanent workforce increased from 8.48 percent to 9.48 percent from FY 18 to FY 22. Hispanic Males increased from 5.23 percent to 5.82 percent and Hispanic Females increased from 3.25 percent to 3.66 percent.
- 2) Black or African American employees in FHWA's permanent workforce increased from 15.01 percent to 16.33 percent from FY 18 to FY 22. Black Males increased from 6.2 percent to 7.07 percent and Black Females increased from 8.81 percent to 9.26 percent.
- 3) Asian employees in FHWA's permanent workforce increased from 7.69 percent to 8.60 percent from FY 18 to FY 22. Asian Males increased from 5.19 percent to 5.68 percent and Asian Females increased from 2.5 percent to 2.93 percent.
- 4) Native Hawaiian or other Pacific Islander employees in FHWA's permanent workforce slightly decreased from 0.19 percent from FY 18 to FY 22. Native Hawaiian or other Pacific Islander Males decreased from 0.15 percent to 0.11 percent and Native Hawaiian or other Pacific Islander Females.
- 5) American Indian or Alaska Native employees in FHWA's permanent workforce increased from 0.93 percent to 0.95 percent from FY 18 to FY 22. Though American Indian or Alaska Native Males slightly decreased from 0.52 percent to 0.48 percent, American Indian or Alaska Native Females increased from 0.41 percent to 0.48 percent.
- 6) Two or more races employees in FHWA's permanent workforce increased from 0.52 percent to 1.06 percent from FY 18 to FY 22. Two or more races Males increased from 0.15 percent to 0.48 percent and two or more races Females increased from 0.37 percent to 0.59 percent.
- 7) PWD employees in FHWA's permanent workforce increased from 9.97 percent to 11.63 percent from FY 18 to FY 22.
- 8) PWTD employees in FHWA's permanent workforce increased from 2.88 percent to 2.93 percent from FY 18 to FY 22.

Although FHWA continues to be successful in its efforts to diversify its workforce, the representation of PWD and female populations remains areas where FHWA is continuing to focus its efforts. In addition, FHWA will analyze the workforce 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:

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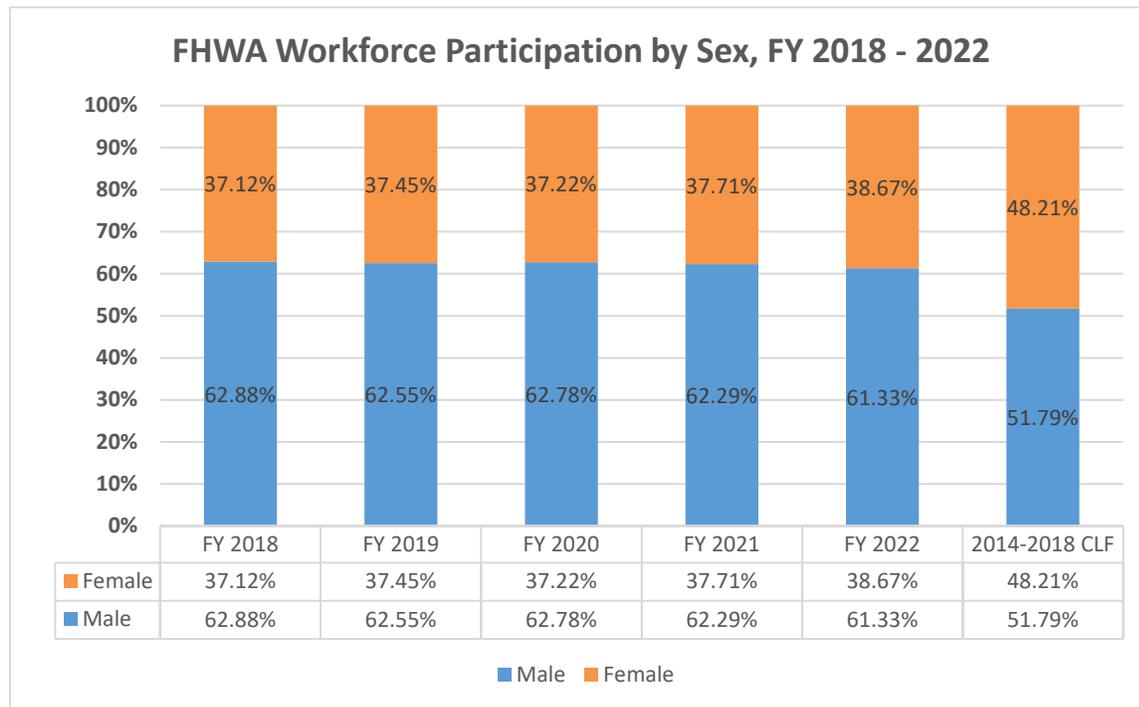
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The FHWA Total Workforce Participation, FY 18-22: In reviewing FHWA total workforce data (Table A1/B1) there has been a steady increase in PWD while PWTD has remained stagnant.

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Total Workforce	2678	2689	2767	2726	2731
PWD	267	290	300	317	341
PWTD	77	82	76	80	81

The FHWA Workforce Participation by Sex, FY 18-22: In reviewing the FHWA total workforce data (Table A1) the participation rate for Females was below the 2014-2018 Civilian Labor Force of 48.21 percent since 2018.

Gender	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	2014-2018 CLF
Male	62.88% (1684)	62.58% (1679)	62.78% (1737)	62.29% (1698)	61.33% (1675)	51.79%
Female	37.12% (994)	37.42% (1004)	37.22% (1030)	37.71% (1028)	38.76% (1056)	48.21%



Groups with Participation Rates Higher Than the Civilian Labor Workforce (CLF): After looking at FHWA total workforce (Table A1), groups with participation rates higher than the 2014 – 2018 CLF were identified. For FY 22, White Males had a participation rate of 41.71 percent, surpassing the 35.65 percent benchmark. This indicates that White Males have demonstrated a higher representation compared to the overall CLF. Other groups

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with participation rates higher than the CLF includes black or African American Males and Females, Asian Males and Females, Native Hawaiian or Pacific Islander Males, and American Indian or Alaska Native Males and Females. The participation rate for PWTB was 2.97 percent, which is above the 501 Goal for PWTB of two percent. For PWD, the participation rate was 12.49 percent, which is above the 501 Goal for PWD of 12 percent.

RNO/Disability	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	2014 – 2018 CLF
White Males	45.37%	44.63%	44.24%	42.88%	41.71%	35.65%
Black or African American Males	6.20%	6.28%	6.76%	6.86%	7.07%	5.70%
Black or African American Females	8.81%	8.74%	8.78%	8.80%	9.26%	6.61%
Asian Males	5.19%	5.32%	5.17%	5.39%	5.68%	2.19%
Asian Females	2.50%	2.68%	2.86%	2.97%	2.93%	2.18%
Native Hawaiian or Other Pacific Islander Males	0.15%	0.11%	0.11%	0.11%	0.11%	0.08%
American Indian or Alaska Native Females	0.41%	0.52%	0.51%	0.51%	0.48%	0.31%
American Indian or Alaska Native Males	0.52%	0.52%	0.51%	0.48%	0.48%	0.31%
PWTB*	2.88%	3.05%	2.75%	2.93%	2.97%	2% (501 Goal)
Persons with Disabilities*	9.97%	10.78%	10.84%	11.63%	12.49%	12% (501 Goal)

Groups With Participation Rates Lower Than the CLF: After looking at FHWA total workforce (Table A1), groups with participation rates lower than the 2014 – 2018 civilian labor workforce were identified. These groups include White Females, Hispanic Males and Females, Native Hawaiian or Pacific Islander female, and two or more races Males and Females.

RNO/Disability	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	2014 – 2018 CLF
White Females	21.66%	21.53%	21.03%	21.42%	21.71%	31.82%
Hispanic Males	5.23%	5.50%	5.75%	6.16%	5.82%	6.82%
Hispanic Females	3.25%	3.42%	3.54%	3.37%	3.66%	6.16%

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RNO/Disability	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	2014 – 2018 CLF
Native Hawaiian or Pacific Islander Female	0.04%	0.04%	0.00%	0.04%	0.04%	0.08%
Two or More Races Males	0.15%	0.19%	0.25%	0.40%	0.48%	1.05%
Two or More Races Females	0.37%	0.52%	0.51%	0.59%	0.59%	1.05%

In reviewing Table B4P for FY 22 and analyzing whether FHWA met EEOC’s two percent and 12 percent goal of onboard PWD and PWTD at the GS-1 to 10 and GS-11 to SES levels, the following information was captured:

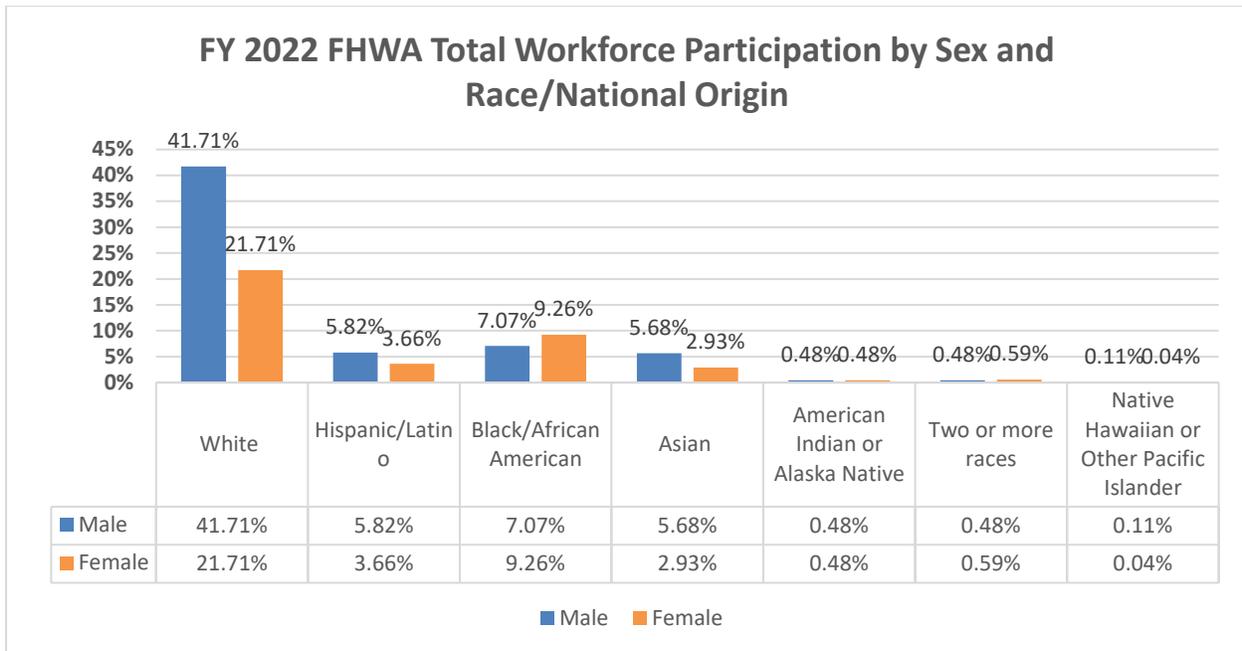
<u>Grade Level</u>	<u>PWD (12%)</u>	<u>PWTD (2%)</u>
GS-1 to 10	20.69%	6.90%
GS-11 to SES	11.58%	2.56%

FY 22 FHWA Total Workforce Participation by Sex and Race/National Origin (Table A1): In reviewing the FY 22 participation rate for Black/African American Females and Two or More Races Females, these two groups are the only groups whose participation rates were higher than the participation rate for Black/African American Males and Two or More Races Males.

FY 2022 FHWA Total Workforce Participation by Sex and Race/National Origin							
	White	Hispanic/Latino	Black/African American	Asian	American Indian or Alaska Native	Two or more races	Native Hawaiian or Other Pacific Islander
Male	41.71%	5.82%	7.07%	5.68%	0.48%	0.48%	0.11%
Female	21.71%	3.66%	9.26%	2.93%	0.48%	0.59%	0.04%

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FY 22 FHWA Total Workforce (Table A1): New Hires breakdown based on RNO and Gender.

FHWA FY 2022 Hires by Race/National Origin and Sex								
Race/Ethnicity	All Hires		Women			Men		
	#	%	#	% of Women Hires	% of RNO Group Hires	#	% of Men Hires	% of RNO Group Hires
White	145	56.42%	59	50.00%	40.69%	86	61.87%	59.31%
Hispanic or Latino	21	8.17%	13	11.02%	61.90%	8	5.76%	38.10%
Black or African American	53	20.62%	32	27.12%	60.38%	21	15.11%	39.62%
Asian American	29	11.28%	11	9.32%	37.93%	18	12.95%	62.07%
Native Hawaiian or Other Pacific Islander	0	0.00%	0	0.00%	0.00%	0	0.00%	0.00%
American Indian or Alaska Native	1	0.39%	0	0.00%	0.00%	1	0.72%	100.00%
Two or More Races	8	3.11%	3	2.54%	37.50%	5	3.60%	62.50%
Total	257		118		45.91%	139		54.09%

FY 22 FHWA Total Workforce (Table A1): Separation breakdown based on RNO and Gender.

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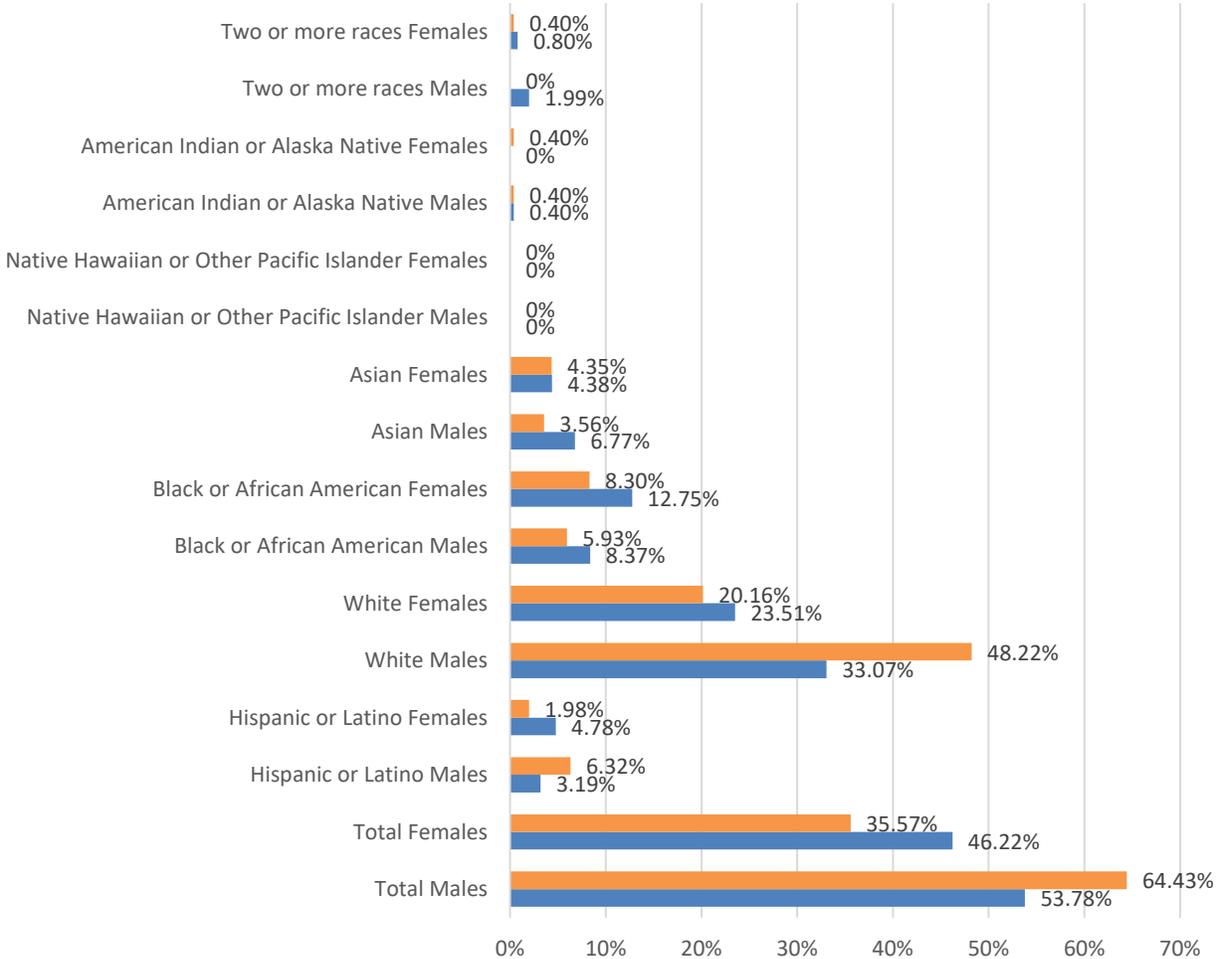
FHWA FY 2022 Separations by Race/National Origin and Sex								
Race or Ethnicity	All Separations		Women			Men		
	#	%	#	% of Women	% of RNO Group	#	% of Men	% of RNO Group
White	173	68.11%	51	56.04%	29.48%	122	74.85%	70.52%
Hispanic or Latino	21	8.27%	5	5.49%	23.81%	16	9.82%	76.19%
Black or African American	36	14.17%	21	23.08%	58.33%	15	9.20%	41.67%
Asian American	21	8.27%	12	13.19%	57.14%	9	5.52%	42.86%
Native Hawaiian or Other Pacific Islander	0	0.00%	0	0.00%	0.00%	0	0.00%	0.00%
American Indian or Alaska Native	2	0.79%	1	1.10%	50.00%	1	0.61%	50.00%
Two or More Races	1	0.39%	1	1.10%	100.00%	0	0.00%	0.00%
Total	254		91		35.83%	163		64.17%

FY 22 FHWA Total Workforce (A1): In reviewing the new hire rates in comparison to separation rates, FHWA identified Total Males, Hispanic Males, White Males, and American Indian or Alaska Native Females RNO groups with separation rates that outpaced the hiring rates.

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FY 22 New Hires & Separation Rate



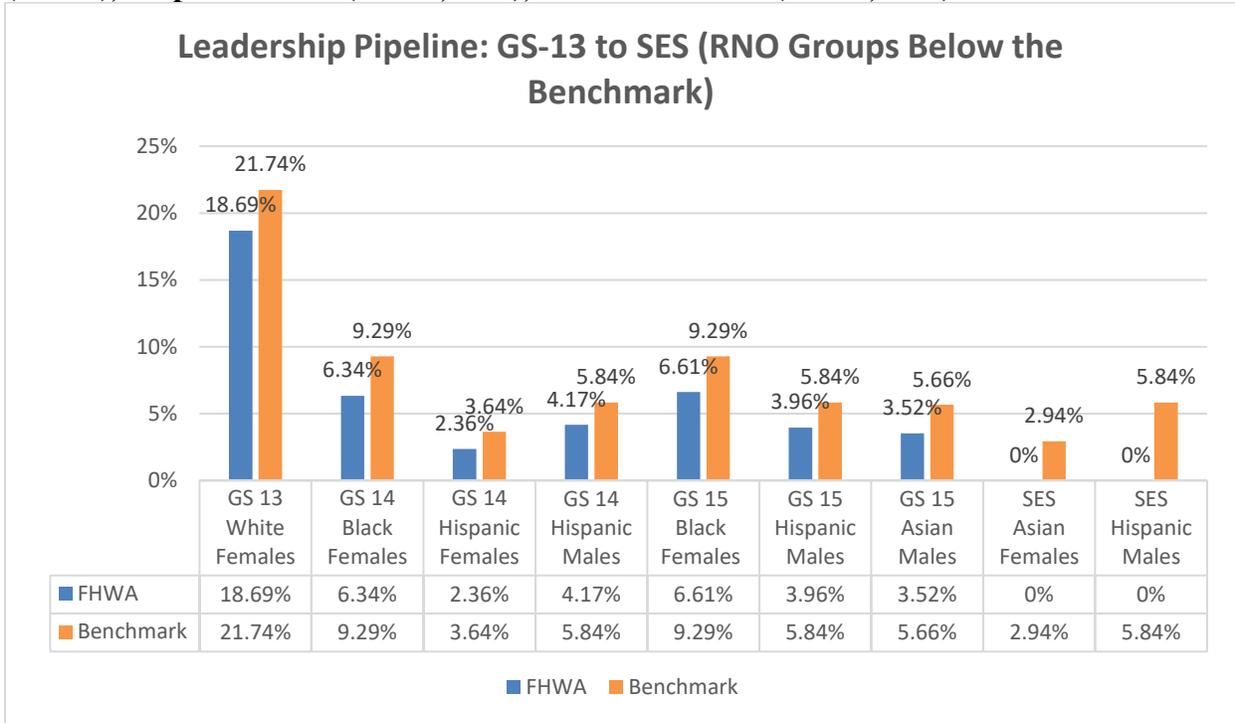
	Total Males	Total Females	Hispanic or Latino Males	Hispanic or Latino Females	White Males	White Females	Black or African American Males	Black or African American Females	Asian Males	Asian Females	Native Hawaiian or Other Pacific Islander Males	Native Hawaiian or Other Pacific Islander Females	American Indian or Alaska Native Males	American Indian or Alaska Native Females	Two or more races Males	Two or more races Females
Separations	64.43%	35.57%	6.32%	1.98%	48.22%	20.16%	5.93%	8.30%	3.56%	4.35%	0%	0%	0.40%	0.40%	0%	0.40%
New Hires	53.78%	46.22%	3.19%	4.78%	33.07%	23.51%	8.37%	12.75%	6.77%	4.38%	0%	0%	0.40%	0%	1.99%	0.80%

■ Separations ■ New Hires

Barrier Analysis Tables (FHWA Leadership Pipeline Analysis: GS-13 to SES) – In reviewing Table A4P for the RNO and gender groups in the GS-13 to SES level positions,

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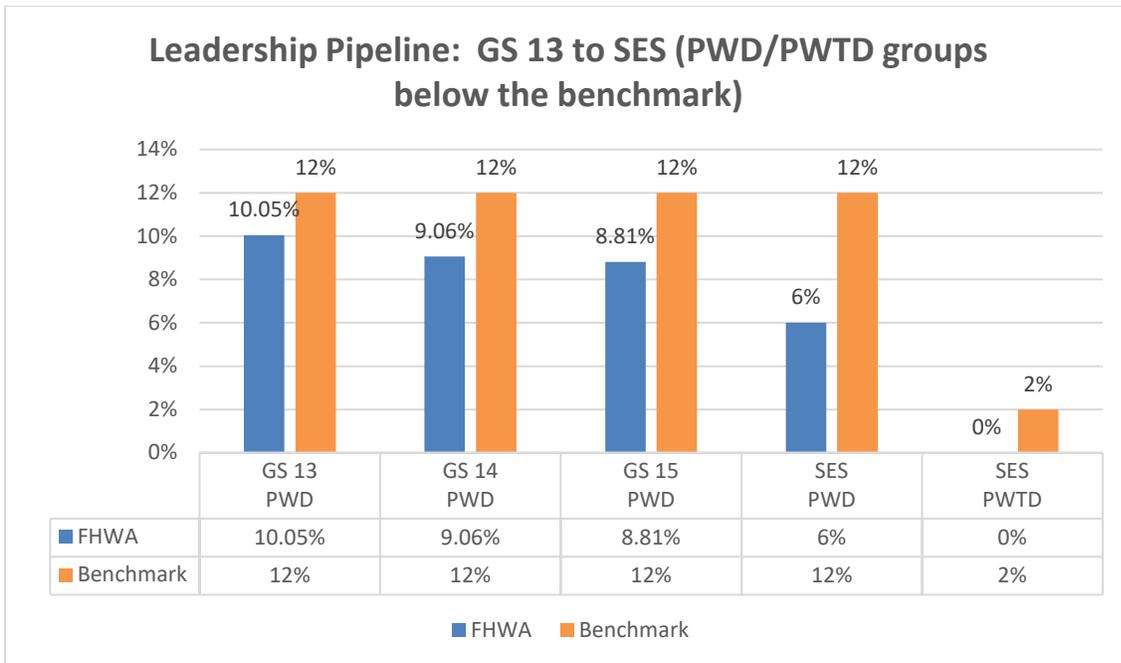
RNO and gender groups that had rates that were below the permanent workforce are White Females (GS-13), Black Females (GS-14), Hispanic Females (GS-14), Black Males (GS-15), Hispanic Males (GS-15, SES), and Asian Males (GS-15, SES).



Barrier Analysis Tables (FHWA Leadership Pipeline Analysis: GS-13 to SES) – In reviewing the FY 22 FHWA Workforce data for PWD/PWTD in the GS-13 to SES level positions (Table B4P), the rate for PWD in the GS-13, 14, 15, and SES level fell below the 501 Goal of 12 percent and for PWTD in the SES level fell below the 501 Goal of two percent.

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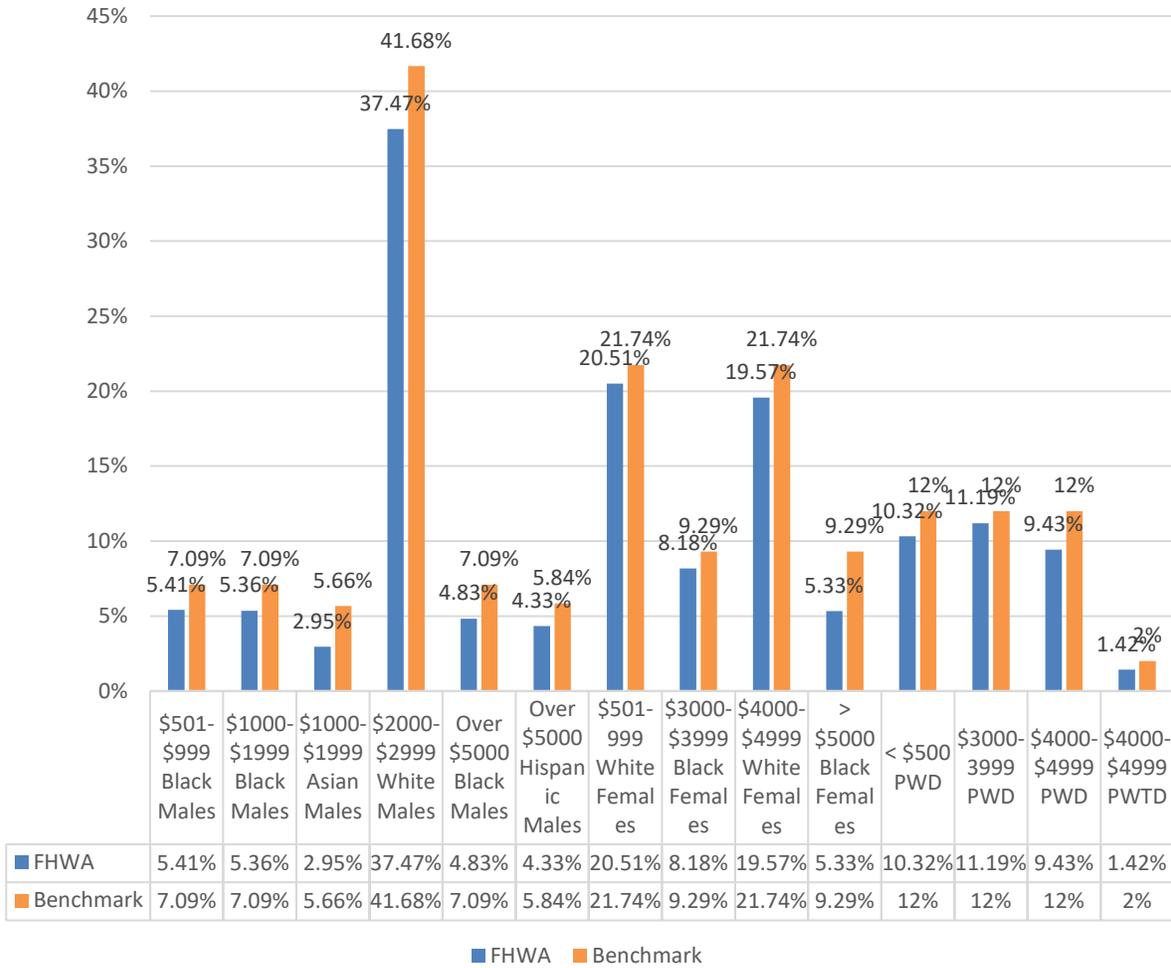


Barrier Analysis Tables (Employee Recognition and Awards) – In reviewing the FY 22 FHWA workforce data for Employee Recognition and Awards (Table A9/B9-1), the graphs below demonstrate where Cash Awards, Quality Steps Increases (QSI), and Time Off Awards for RNO groups were below the permanent workforce benchmark and PWD/PWTD were below the 501 Goal of 12 percent for PWD and two percent for PWTD.

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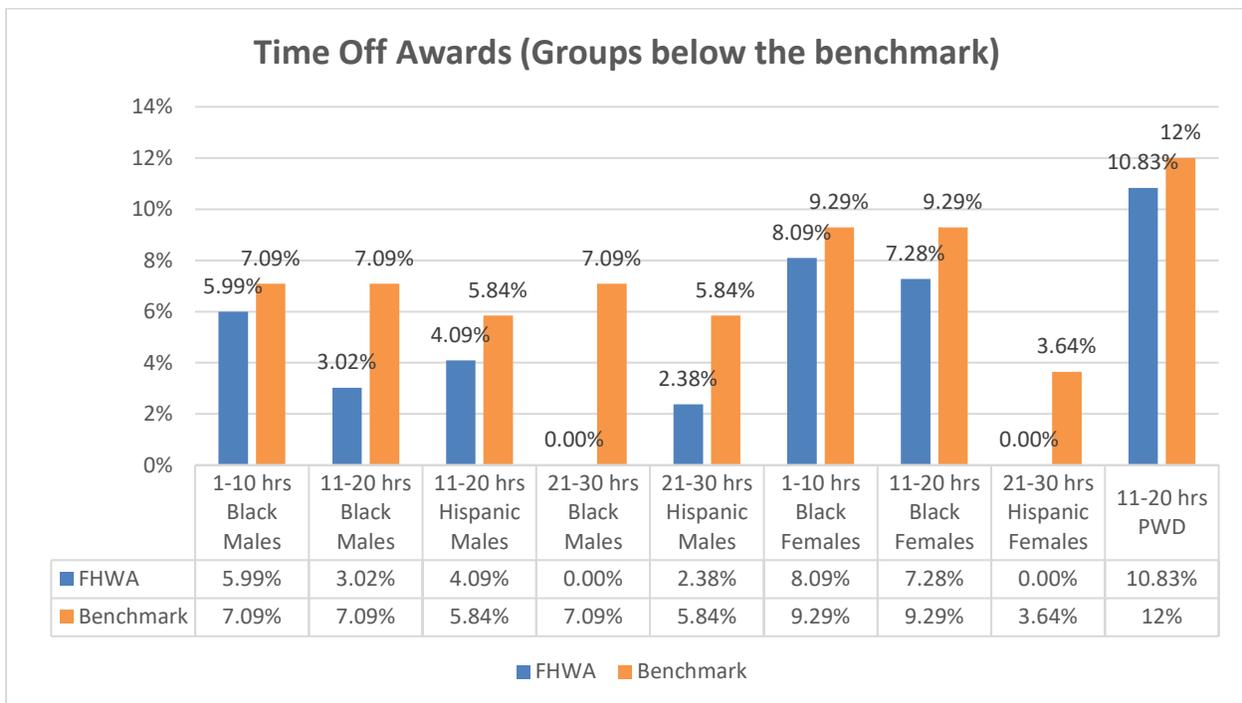
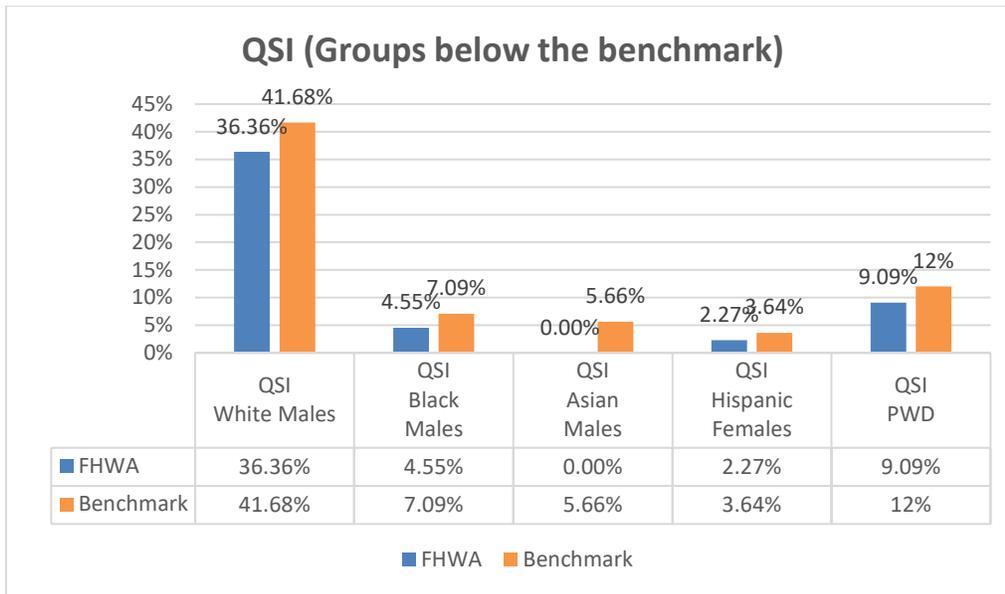
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Cash Awards (Groups below the benchmark)



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FHWA EEO Complaints Trends:

Over the past 5 years, from FY18 to FY 22, the informal/pre-complaint and formal complaint filings ebbed and flowed. The number of informal complaints shows some fluctuations over the years, with peaks in FY 20 (15 informal complaints) and a decline in FY 22 (six informal complaints). Thus, there has been a decrease in the number of informal complaints. The number of formal complaints also fluctuates from year to year. The highest number of formal complaints occurred in FY 20 with 14 cases, while the lowest

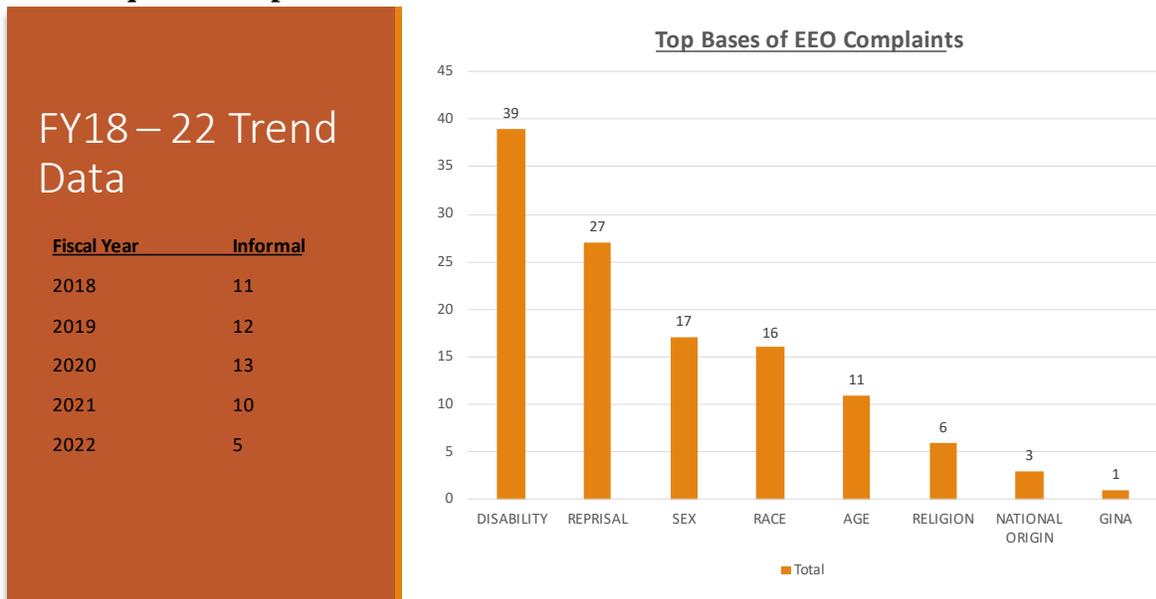
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number was recorded in FY 22 with 4 cases. The number of formal complaints is generally lower than the number of informal complaints. This may indicate that a portion of the informal complaints did not progress to the formal stage, possibly due to resolution at the informal level or other factors.

<u>FY</u>	<u>Informal</u>	<u>Formal</u>
2018	11	11
2019	12	8
2020	15	14
2021	11	8
2022	6	4

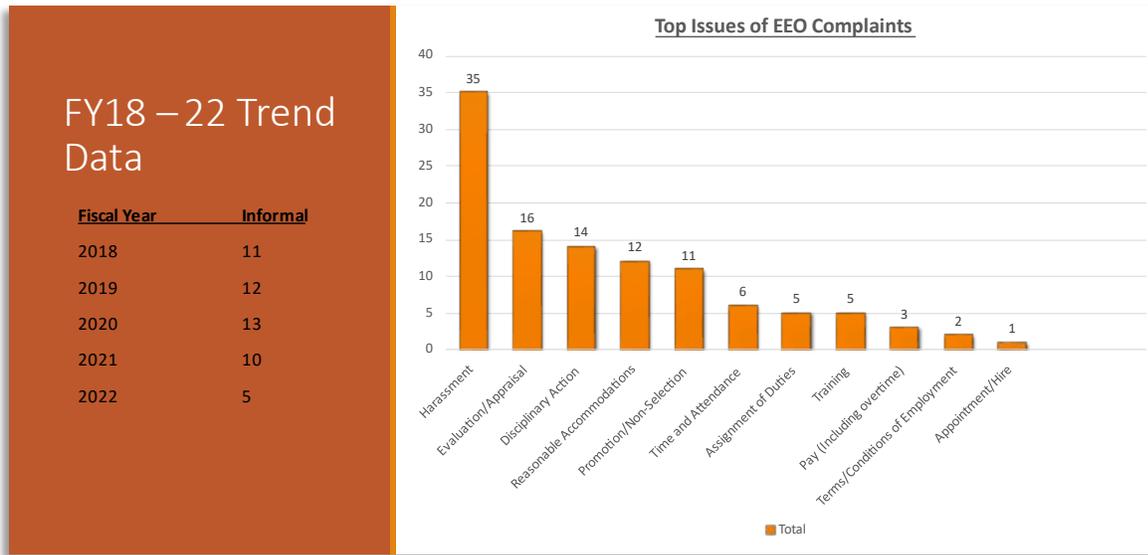
Most Frequent Complaint Bases Filed:



Most Frequent Complaint Issues (Employment Actions) Filed:

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Anti-Harassment Trends:

Anti-Harassment cases identified from FY 18 to FY 22.

FY	Number of Anti-Harassment Cases
2018	2
2019	3
2020	10
2021	12
2022	7

Reasonable Accommodation Trends:

Reasonable Accommodation cases identified from FY 21 to FY 22.

FY	Number of Reasonable Accommodation Cases
2021	13
2022	58

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 22 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 22, FHWA, participated in 157 recruitment events (virtual and in-person). Forty-three events were at identified minority serving institutions. Events targeted the following groups: Women, PWD, veterans/military, and diverse groups.
- Exit surveys are being performed and tracked. The FHWA began receiving the data information from these exit surveys in FY 22 after a 3-year gap.
- In FY 22, Office of Civil Rights had nine ancillary duty staff serving as Fact Finders

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within the Anti-Harassment Process. All new and experienced Anti-Harassment Fact Finders attended an Anti-Harassment Fact Finders Workshop. The workshop provided a forum for fact finders to discuss common issues, lessons learned, best practices, and process improvements.

- FHWA drafted Reasonable Accommodations procedures to comply with DOT Order 1101.1B, Procedures for Processing Reasonable Accommodation Requests by DOT Job Applicants and Employees with Disabilities. The procedures outline roles and responsibilities of Agency supervisors, Disability Program Manager, and established the Designated Disability Advisory Team.
- In FY 22, FHWA hosted a virtual series of Prevention of Harassment training sessions focused on Respect in the Workplace. The FHWA hosted a total of five training sessions on the Prevention of Harassment.
- Agency employees are educated and encouraged to participate in one or more of DOT Employee Resource Groups (ERGs).
- FHWA established an Emerging Leaders Externship Program. This pilot program is geared towards HBCU students and provides training around mentoring, resume, and career outreach. In FY 22, outreach to 11 HBCUs occurred to garner their interest in the program. Full implementation and delivery of a two-day session is expected in Fall 2023.
- For ERGs where FHWA employees serve in a leadership capacity, the following activities have been highlighted:

African American Leaders in Transportation (AALT)

- AALT grew its membership to over 200 (peaking at 204) during FY 22.
- AALT provided feedback on OST's new guidance for Employee Resource Group.
- AALT Participated in the DFS Mid-America meeting with the Division and Deputy Division Administrators.
- AALT collaborated with Western Federal Lands to create a recruitment SharePoint Site, Video and Newsletter article.
- AALT contributed article to the FHWA DEI newsletter.
- AALT attended the OST Black History Month Fireside Chat as special guest to Secretary Pete Buttigieg and U.S. Environmental Protection Agency Administrator, Michael Regan.
- AALT held Agencywide Black History Month Special Event Webinar with guest speaker Civil Rights Leader and Freedom Rider Hezekiah Watkins from Jackson MS. Theme: Leading through Adversity.
- AALT collaborated with HR to host a Black History Month HBCU Recruitment event Webinar.
- AALT held bi-monthly Webinars for members:
 - Applying to the Division Administrator / Deputy Division Administrator Registry.
 - Recruitment starts from within.
 - Writing your success stories.
 - Executive Core Qualifications (ECQ): Leading Change / Building Coalitions.
 - ECQ: People and Business Acumen.
 - The link between Health Wellness Practices and Professional Growth.

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- AALT regularly participated in the monthly OST HBCU Coordination meetings.
- AALT regularly participated in the OST Gender Equity Advisory Board.
- AALT represented FHWA in a series of career fairs:
 - Howard University
 - Alabama A&M
 - Bowie State
 - Others
- AALT developed a registry to catch information on FHWA employees from HBCUs.
- AALT developed a registry to solicit volunteers for resume reviews and interviewing.
- AALT began a monthly email bulletin providing the membership with information on job opportunities that they can share with their professional, collegiate, and Greek networks.
- AALT worked with HR to include a Webpage on AALT for new members to FHWA: <https://www.fhwa.dot.gov/careers/benefits.cfm>.
- AALT participated in two Hispanic Engagement Initiative (HEI) Webinars on preparing for interviews.
- AALT introduced the group to the FHWA's Diversity Champions.

HEI/AMIGO Affinity Group

- **Professional Development Committee** – The objectives identified for this subcommittee include:
 - To increase the number of qualified Hispanics in FHWA in preparation for leadership and promotion opportunities this working group was developed to focus on professional development.
 - Provide a platform to assist Hispanics in existing positions to their reach fullest potential.
 - Develop a mentoring program that can readily help employee move to next step in their career (such as: Resume review, mock interviews, speaking in large groups, etc.).

With the efforts of the working group, HEI accomplished the following in FY 22:

- The committee has helped review resumes, mock interviews, and recommended training opportunities to other members.
 - Partnered with the Talent Development Division on holding a Webinar titled “Professional Development 101” in February 2022, with 57 participants in attendance.
 - In August 2022, surveyed HEI members for feedback on future Professional Development Webinars via a MS Form. HEI received 37 responses.
 - Tentatively scheduled a Webinar on “Do and Don'ts of Interviews” for January 2023.
- **Recruitment Committee** – The objectives identified for this subcommittee include:
 - Assisting in recruitment efforts for new employees.
 - Assisting in filling vacant positions in FHWA with Hispanic employees.
 - Helping Hispanics in FHWA, including AMIGO members, advance in FHWA

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in partnership with other AMIGO working groups and other FHWA groups, such as the Diversity Management Committee and the Women in Leadership group.

With the efforts of the working group, HEI accomplished the following in FY 22:

- Coordinated with HQ recruitment to participate in recruitment efforts, including virtual career fairs, and university presentations.
 - DAs/DDAs that would like to increase Hispanic representation in their Division Offices send the subcommittee FHWA internal vacancies. The group shared the announcements with members through Microsoft (MS) Teams as well as DOT's Hispanics in Transportation (HIT). HEI worked to increase our networks.
 - HEI's Sponsor assisted with resume reviews and providing sample interviews to assist Hispanics in promotion opportunities.
 - The committee organized the Hispanic Heritage Month (HHM) Celebration (September 27, 2022) which included guest speakers, Victor Mendez, Mayela Sosa, Coral Torrez-Cruz, and opening remarks by Irene Rico. This event was well received by Hispanics with the Agency as well as sister agencies. HEI was later invited to participate in another HHM event.
- **Mentoring Committee** – With the efforts of HEI's working group, HEI accomplished the following in FY 22:
- Prepared and sent out a survey asking for interest in serving as a Mentor, in wanting to be a Mentee, or both. The survey responses have been received and the Mentoring Workgroup will begin the process of getting Mentors and Mentees connected. The goal is to get all interested parties connected.
- **Networking Committee** – With the efforts of HEI's working group, HEI accomplished the following in FY 22:
- HEI established the framework for the HEI network, grew the network, and led some fun networking opportunities. HEI had three main goals: Improve and make communication more efficient for AMIGO, help coordinate and share information on AMIGO SharePoint site, and schedule networking opportunities. HEI accomplished these goals with the following efforts:
 - Updated the Hispanic Outreach Roster (list of AMIGO Volunteers, AMIGO Recruiters list, AMIGO Mentors list, etc.).
 - With an updated roster, HEI established: The FHWA AMIGO Networking Outlook Email Distribution List and AMIGO Teams Site.
 - The HEI hosted two networking events:
 - December 2, 2021 – Holiday Traditions – shared recipes and holiday traditions.
 - July 27, 2022 – Listening session with FHWA Office of Civil Rights – Hispanic Workforce.
 - Established an expectation of four HEI events annually (one hosted by each working group).

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Collectively, these were all opportunities HEI created to engage with and mentor others, to develop trust, and motivate staff in this greatly expanded the Hispanic network. With establishment of this network, HEI created an environment for a spirited group of people to identify mentors, interact with Agency leaders, and receive ongoing feedback and guidance in a comfortable and open forum.

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 developed a new Strategic Plan for FY 22-26 that incorporates measures and strategic objectives towards diversity, equity, inclusion, and accessibility. The FHWA will continue to roll out joint technical assistance and training on EEO, Reasonable Accommodations, Anti-Harassment, and Diversity, Equity, Inclusion, and Accessibility to program and field offices. The FHWA will continue to conduct outreach around and support DOT'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 who would participate in the DMC. 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 established a new Chief DEI Officer role. Starting in FY 22, the Chief DEI Officer worked with FHWA leadership and partners, as well as leadership and partners from DOT, to develop strategies to ensure that diversity, equity, and inclusion are integrated into and contribute to 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 22 Barrier Analysis team.

Recruitment, Hiring, & Outreach Efforts

- FHWA plans to continue to support targeted outreach and recruitment to increase the number of women, with particular focus on Hispanic women and PWTD at all grade levels. This will be accomplished through participation at career fairs, outreach events and distributing targeted email campaigns and social media platforms. Additionally, FHWA connects with affinity groups (AALT, HEI, and other ERGs), to exchange info on upcoming events that are targeted to the specific demographics. The FHWA also communicates with affinity groups via email to disseminate information on open job opportunities and any FHWA hosted events.
- FHWA will continue to create an inclusive organizational environment by performing outreach and remaining in close contact with our recruitment partners from various

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

associations and organizations. These organizations target or serve underrepresented groups and schools with targeted populations that tap into a diversified applicant pool for all job vacancies.

- FHWA will aim to continue its partnership with universities that have large disability populations to provide information for students who may be seeking employment opportunities within FHWA's pipeline programs.
- FHWA will continue to be proactive in its efforts to market STIPDG, Pathways Program, Dwight D. Eisenhower Fellowship Program, and PDP amongst colleges and universities.

Training & Program Awareness Efforts

- FHWA Virtual EEO Awareness Symposium was held over a three-day time span from May 10-12, 2022. The purpose of the symposium was to educate FHWA management and staff on EEO, Diversity, Conflict Resolution, Prevention of Harassment, and Effective Communication. The FHWA will hold its third annual symposium in FY 23.
- 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 held a session at the EEO Virtual Awareness Symposium that is centered around the Diversity Hiring Guide. The FHWA Strategic Plan for FY 22-26 includes opportunities for DEIA training for Agency staff.
- In partnership with the DOT Disability Resource Center, FHWA will offer education and training about the Center and how its services benefit FHWA's workforce.
- The Office of Administration will offer Unconscious Bias training for all managers and supervisors. This two-and-a-half-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.
- 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 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 Departmental DOT Reasonable Accommodation Order 1101.1B. The plan is to issue the final version in FY 23.

**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: 2023.05.24 11:38:59 -0400

Signature of Principal EEO Director/Official
 Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.

Date

Signature of Agency Head or Agency Head Designee

Date

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

MD-715 - PART G
Agency Self-Assessment Checklist

The Part G Self-Assessment Checklist is a series of questions designed to provide Federal agencies with an effective means for conducting the annual self-assessment required in Part F of MD-715. This self-assessment permits EEO Directors to recognize, and to highlight for their senior staff, deficiencies in their EEO program that the agency must address to comply with MD-715's requirements. Nothing in Part G prevents agencies from establishing additional practices that exceed the requirements set forth in this checklist.

All agencies will be required to submit Part G to EEOC. Although agencies need not submit documentation to support their Part G responses, they must maintain such documentation on file and make it available to EEOC upon request.

The Part G checklist is organized to track the MD-715 essential elements. As a result, a single substantive matter may appear in several different sections, but in different contexts. For example, questions about establishing an anti-harassment policy fall within Element C (Management and Program Accountability), while questions about providing training under the anti-harassment policy are found in Element A (Demonstrated Commitment from Agency Leadership).

For each MD-715 essential element, the Part G checklist provides a series of "compliance indicators." Each compliance indicator, in turn, contains a series of "yes/no" questions, called "measures." To the right of the measures, there are two columns, one for the agency to answer the measure with "Yes", "No", or "NA;" and the second column for the agency to provide "comments", if necessary. Agencies should briefly explain any "N/A" answer in the comments. For example, many of the sub-component agencies are not responsible for issuing final agency decisions (FADs) in the EEO complaint process, so it may answer questions about FAD timeliness with "NA" and explain in the comments column that the parent agency drafts all FADs.

A "No" response to any measure in Part G is a program deficiency. For each such "No" response, an agency will be required in Part H to identify a plan for correcting the identified deficiency. If one or more sub-components answer "No" to a particular question, the agencywide/parent agency's report should also include that "No" response.

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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.

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	A.1 - The agency issues an effective, up-to-date EEO policy statement.		
A.1.a	Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency’s commitment to EEO for all employees and applicants? If “yes”, please provide the annual issuance date in the comments column. [see MD-715, II(A)]	YES	The Departmental Office of Civil Rights issued the annual DOT EEO Policy statements dated June 9, 2022.
A.1.b	Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation, and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)]	YES	

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	A.2 - The agency has communicated EEO policies and procedures to all employees.		
A.2.a	Does the agency disseminate the following policies and procedures to all employees:		
A.2.a.1	Anti-harassment policy? [see MD 715, II(A)]	Yes	
A.2.a.2	Reasonable accommodation procedures? [see 29 C.F.R § 1614.203(d)(3)]	Yes	The FHWA uses DOT’s Reasonable Accommodation Policy - DOT Order 1101.1B.
A.2.b	Does the agency prominently post the following information throughout the workplace and on its public website:	Yes	

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator A.2 - The agency has communicated EEO policies and procedures to all employees.	Measure Met? (Yes/No/NA)	Comments
A.2.b.1	The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	Yes	Information is located on the EEO page on the Office of Civil Rights Website: https://www.fhwa.dot.gov/civilrights/programs/eo/
A.2.b.2	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.2.b.3	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	Disability Program: Useful Links - Civil Rights Federal Highway Administration (dot.gov): https://www.fhwa.dot.gov/civilrights/programs/disability/resources.cfm
A.2.c	Does the agency inform its employees about the following topics:		
A.2.c.1	EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often.	Yes	
A.2.c.2	ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	Yes	Annually
A.2.c.3	Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	Yes	Annually
A.2.c.4	Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.	Yes	Annually

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator A.2 - The agency has communicated EEO policies and procedures to all employees.	Measure Met? (Yes/No/NA)	Comments
A.2.c.5	Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR § 2635.101(b)] If "yes", please provide how often.	Yes	Annually. The Office of Human Resources also provides notice to specific employee for specific behaviors when counseling or identifying behaviors they have engaged in that may be inappropriate.

Measures	Compliance Indicator A.3 - The agency assesses and ensures EEO principles are part of its culture.	Measure Met? (Yes/No/NA)	Comments
A.3.a	Does the agency provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a) (9)] If "yes", provide one or two examples in the comments section.	Yes	
A.3.b	Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]	Yes	Annually for FEVS and every two years for FHWA's All Employee Survey.

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.

Measures	Compliance Indicator 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.	Measure Met? (Yes/No/NA)	Comments

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator 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.	Measure Met? (Yes/No/NA)	Comments
B.1.a	Is the agency head the immediate supervisor of the person (“EEO Director”) who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	No	The Associate Administrator for Civil Rights reports to the Agency Executive Director who is the Agency’s top career employee.
B.1.a.1	If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission- related programmatic offices? If “yes,” please provide the title of the agency head designee in the comments.	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.
B.1.a.2	Does the agency’s organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	Yes	
B.1.b	Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency, and legal compliance of the agency’s EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	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.

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator 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.	Measure Met? (Yes/No/NA)	Comments
B.1.c	During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. D] If "yes", please provide the date of the briefing in the comment's column.	Yes	Briefing to the Deputy Administrator held on August 8, 2022.
B.1.d	Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	Yes	The Associate Administrator for Civil Rights is a member of the leadership team and participated in all leadership meetings with other program leaders.

Measures	Compliance Indicator B.2 – The EEO Director controls all aspects of the EEO program.	Measure Met? (Yes/No/NA)	Comments
B.2.a	Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD- 110, Ch. 1(III)(A); 29 CFR §1614.102(c)]	Yes	
B.2.b	Is the EEO Director responsible for overseeing the completion of EEO counseling [see 29 CFR §1614.102(c)(4)]	Yes	
B.2.c	Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator B.2 – The EEO Director controls all aspects of the EEO program.	Measure Met? (Yes/No/NA)	Comments
B.2.d	Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	N/A	The FHWA is a sub-reporting unit and is not responsible for issuance of final Agency decisions. Final Agency decisions are issued by the Departmental Office of Civil Rights.
B.2.e	Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	Yes	The EEO Director is responsible for all aspects of compliance that fall within FHWA’s control as a sub-reporting unit.
B.2.f	Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	Yes	
B.2.g	If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2) and (c)(3)]	N/A	This function is handled by the Departmental Office of Civil Rights.

Measures	Compliance Indicator B.3 - The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.	Measure Met? (Yes/No/NA)	Comments
B.3.a	Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	Yes	The EEO Director participates in the strategic planning meetings and makes sure there is FHWA Office of Civil Rights representation and gets briefings. The EEO Director also participates the Strategic Workforce Council, HOA meetings, Leadership meetings, etc.

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator B.3 - The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.	Measure Met? (Yes/No/NA)	Comments
B.3.b	Does the agency’s current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If “yes”, please identify the EEO principles in the strategic plan in the comments column.	Yes	In the FY 2022-26 FHWA Strategic Plan, FHWA will leverage cultural strategies to evolve its culture to meet the challenges of implementing the provisions in BIL and the Executive Orders issued by the Biden-Harris Administration, which includes cultivating a diverse workplace and an inclusive culture. Organizational excellence is listed as one of the goals and as such, FHWA commits to promoting diversity, equity, inclusion, and accessibility and to strengthening its focus on recruiting new and diverse talent to its workforce.

Measures	Compliance Indicator B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.	Measure Met? (Yes/No/NA)	Comments
B.4.a	Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:		
B.4.a.1	to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	Yes	
B.4.a.2	to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	Yes	

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.	Measure Met? (Yes/No/NA)	Comments
B.4.a.3	to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR § 1614.102(c)(5) & 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	Yes	
B.4.a.4	to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comment’s column.	Yes	
B.4.a.5	to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]	Yes	
B.4.a.6	to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	Yes	
B.4.a.7	to maintain accurate data collection and tracking systems for the following types of data: Complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)]. If not, please identify the systems with insufficient funding in the comments section.	Yes	
B.4.a.8	to effectively administer its special emphasis programs (such as, Federal Women’s Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]	Yes	

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.		
B.4.a.9	to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I); EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	Yes	
B.4.a.10	to effectively manage its reasonable accommodation program? [see 29 CFR § 1614.203(d)(4)(ii)]	Yes	
B.4.a.11	to ensure timely and complete compliance with EEOC orders? [see MD- 715, II(E)]	Yes	
B.4.b	Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	Yes	
B.4.c	Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	Yes	
B.4.d	Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II)(A) of MD-110?	Yes	
B.4.e	Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	Yes	

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	B.5 – The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.		
B.5.a	Pursuant to 29 CFR § 1614.102(a)(5), have all managers and supervisors received training on their responsibilities under the following areas under the agency EEO program:		
B.5.a.1	EEO Complaint Process? [see MD-715(II)(B)]	Yes	

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

Measures	Compliance Indicator B.5 – The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.	Measure Met? (Yes/No/NA)	Comments
B.5.a.2	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 virtual training as part of the Manager and Supervisor Forum.
B.5.a.3	Anti-Harassment Policy? [see MD-715(II)(B)]	Yes	
B.5.a.4	Supervisory, managerial, communication, and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	Yes	
B.5.a.5	ADR, with emphasis on the Federal Government’s interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	Yes	

Measures	Compliance Indicator B.6 – The agency involves managers in the implementation of its EEO program.	Measure Met? (Yes/No/NA)	Comments
B.6.a	Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	Yes	
B.6.b	Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	Yes	
B.6.c	When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	Yes	

EEOC FORM
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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	B.6 – The agency involves managers in the implementation of its EEO program.		
B.6.d	Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR § 1614.102(a)(5)]	Yes	

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.

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

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	C.2 – The agency has established procedures to prevent all forms of EEO discrimination.		

EEOC FORM
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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

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

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

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

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

Measures	Compliance Indicator C.2 – The agency has established procedures to prevent all forms of EEO discrimination.	Measure Met? (Yes/No/NA)	Comments
C.2.b.4	Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR 1614.203(d)(3)(i)(M)]	Yes	If a decision is made to either grant or deny, the decisionmaker must communicate this decision in writing at least within 25-business days absent extenuating circumstances since receipt of request.
C.2.b.5	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-business day timeframe unless there are extenuating circumstances. 31% of accommodations within RAMs in FY 22 met the 25-day timeframe.
C.2.c	Has the agency established procedures for processing requests for personal assistance services that comply with EEOC’s regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR 1614.203(d)(6)]	Yes	The FHWA currently follows the Department’s procedures.
C.2.c.1	Does the agency post its procedures for processing requests for Personal Assistance Services on its public Website? [see 29 CFR § 1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.	Yes	https://www.transportation.gov/drc/personal-assistance-as-reasonable-accommodation

Measures	Compliance Indicator C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.	Measure Met? (Yes/No/NA)	Comments
C.3.a	Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	Yes	

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

Measures	Compliance Indicator C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.	Measure Met? (Yes/No/NA)	Comments
C.3.b	Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:		
C.3.b.1	Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]	Yes	
C.3.b.2	Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR § 1614.102 (b)(6)]	Yes	The FHWA is not aware of any instances in which an employee has failed to cooperate fully with EEO officials, but would address such a situation through the coordinated efforts of the rating official, HCR, HCC, and ER, holding the employee accountable through the performance or misconduct system as appropriate. In FY22, FHWA made efforts to formalize oversight of this effort through the development of a related CJE that will be added to managers' performance plans.
C.3.b.3	Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]	Yes	
C.3.b.4	Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]	Yes	

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

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.		
C.3.b.5	Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	Yes	
C.3.b.6	Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]	Yes	
C.3.b.7	Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]	Yes	
C.3.b.8	Support the anti-harassment program in investigating and correcting harassing conduct. [see Enforcement Guidance, V.C.2]	Yes	
C.3.b.9	Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]	Yes	
C.3.c	Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]	Yes	
C.3.d	When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]	Yes	

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	C.4 – The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.		

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

Measures	Compliance Indicator C.4 – The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.	Measure Met? (Yes/No/NA)	Comments
C.4.a	Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	Yes	
C.4.b	Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]	Yes	
C.4.c	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	
C.4.d	Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	Yes	
C.4.e	Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:		
C.4.e.1	Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	Yes	
C.4.e.2	Develop and/or conduct outreach and recruiting initiatives? [see MD- 715, II(C)]	Yes	
C.4.e.3	Develop and/or provide training for managers and employees? [see MD- 715, II(C)]	Yes	

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

Measures	Compliance Indicator C.4 – The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.	Measure Met? (Yes/No/NA)	Comments
C.4.e.4	Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	Yes	
C.4.e.5	Assist in preparing the MD-715 report? [see MD-715, II(C)]	Yes	

Measures	Compliance Indicator C.5 - Following a finding of discrimination, the agency explores whether it should take a disciplinary action.	Measure Met? (Yes/No/NA)	Comments
C.5.a	Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR § 1614.102(a)(6); see also <i>Douglas v. Veterans Administration</i> , 5 MSPR 280 (1981)]	Yes	
C.5.b	When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If “yes”, please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	Yes	
C.5.c	If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct? [see MD-715, II(C)]	Yes	

Measures	Compliance Indicator C.6 – The EEO office advises managers/supervisors on EEO matters.	Measure Met? (Yes/No/NA)	Comments
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EEOC FORM
U.S. Equal Employment Opportunity Commission
FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Measures	Compliance Indicator C.6 – The EEO office advises managers/supervisors on EEO matters.	Measure Met? (Yes/No/NA)	Comments
C.6.a	Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If “yes”, please identify the frequency of the EEO updates in the comments column.	Yes	This is briefed annually within FHWA, and the information is posted on our Website.
C.6.b	Are EEO officials readily available to answer managers’ and supervisors’ questions or concerns? [see MD-715 Instructions, Sec. I]	Yes	

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.

Measures	Compliance Indicator D.1 - The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.	Measure Met? (Yes/No/NA)	Comments
D.1.a	Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	Yes	
D.1.b	Does the agency regularly use the following sources of information for trigger identification: Workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	Yes	

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

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	D.1 - The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.		
D.1.c	Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention, and advancement of individuals with disabilities? [see 29 CFR 1614.203(d)(1)(iii)(C)]	Yes	The DOT has a DOT-wide exit survey and resumed providing survey data in FY 22, after an approximately three-year absence of available data. The FHWA does not require exit interviews, but managers can perform the interviews at their discretion.

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	D.2 - The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)		
D.2.a	Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	Yes	
D.2.b	Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	Yes	
D.2.c	Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	Yes	

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

Measures	Compliance Indicator D.2 - The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)	Measure Met? (Yes/No/NA)	Comments
D.2.d	Does the agency regularly review the following sources of information to find barriers: Complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, 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: The FHWA does not have unions.

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

Measures	Compliance Indicator D.4 – The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.	Measure Met? (Yes/No/NA)	Comments
D.4.a	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	www.fhwa.dot.gov/civilrights/

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

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	D.4 – The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.		
D.4.b	Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR 1614.203(d)(1)(i)]	Yes	
D.4.c	Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR 1614.203(d)(1)(ii)(A)]	Yes	
D.4.d	Has the agency taken specific steps that are reasonably designed to increase the number of PWD or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR 1614.203 (d)(7)(ii)]	Yes	

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.

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.		
E.1.a	Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	Yes	
E.1.b	Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?	Yes	
E.1.c	Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.

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

Measures	Compliance Indicator E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.	Measure Met? (Yes/No/NA)	Comments
E.1.d	Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.
E.1.e	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	
E.1.f	Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.
E.1.g	If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.
E.1.h	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	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.
E.1.i	Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.

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

Measures	Compliance Indicator E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.	Measure Met? (Yes/No/NA)	Comments
E.1.j	If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If “yes”, please describe how in the comments column.	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Investigations are handled by the Departmental Office of Civil Rights.
E.1.k	If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]	Yes	
E.1.l	Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]	Yes	

Measures	Compliance Indicator E.2 – The agency has a neutral EEO process.	Measure Met? (Yes/No/NA)	Comments Revised Indicator
E.2.a	Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch.1(IV)(D)]	Yes	
E.2.b	When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If “yes”, please identify the source/location of the attorney who conducts the legal sufficiency review in the comments column.	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Legal sufficiency reviews are handled by the Departmental Office of Civil Rights.
E.2.c	If the EEO office relies on the agency’s defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Legal sufficiency reviews are handled by the Departmental Office of Civil Rights.

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

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments Revised Indicator
	E.2 – The agency has a neutral EEO process.		
E.2.d	Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]	Yes	
E.2.e	If applicable, are processing time frames incorporated for the legal counsel’s sufficiency review for timely processing of complaints? [see EEOC Report, Attaining a Model Agency Program: Efficiency (Dec. 1, 2004)]	N/A	The FHWA is a sub-reporting unit and is not responsible for investigations. Legal sufficiency reviews are handled by the Departmental Office of Civil Rights.

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

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

Measures	Compliance Indicator E.4 – The agency has effective and accurate data collection systems in place to evaluate its EEO program.	Measure Met? (Yes/No/NA)	Comments
E.4.a	Does the agency have systems in place to accurately collect, monitor, and analyze the following data:		
E.4.a.1	Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	Yes	
E.4.a.2	The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	Yes	
E.4.a.3	Recruitment activities? [see MD-715, II(E)]	Yes	The FHWA Office of Civil Rights, Human Resources’ Recruitment, Outreach and Diversity (ROaD) Team is able to collect and analyze data from Monster Analytics to compare application rates before and after events.
E.4.a.4	External and internal applicant flow data concerning the applicants’ race, national origin, sex, and disability status? [see MD-715, II(E)]	Yes	
E.4.a.5	The processing of requests for reasonable accommodation? [29 CFR § 1614.203(d)(4)]	Yes	
E.4.a.6	The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	Yes	
E.4.b	Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	Yes	
Measures	Compliance Indicator E.5 – The agency identifies and disseminates significant trends and best practices in its EEO program.	Measure Met? (Yes/No/NA)	Comments

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

Measures	Compliance Indicator	Measure Met? (Yes/No/NA)	Comments
	E.5 – The agency identifies and disseminates significant trends and best practices in its EEO program.		
E.5.a	Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If “yes”, provide an example in the comments.	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.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.c	Does the agency compare its performance in the EEO process to other Federal Agencies of similar size? [see MD-715, II(E)]	Yes	

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.

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

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

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

Measures	Compliance Indicator F.2 – The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.	Measure Met? (Yes/No/NA)	Comments
F.2.a	Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	Yes	The Agency has timely responded to and complied with all final EEOC orders. In one pending matter, EEOC has requested clarification of the status of FHWA’s compliance with an order related to a finding of discrimination. The FHWA submitted its statement as ordered and is awaiting a response from the EEOC.
F.2.a.1	When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	N/A	This function is handled by the Departmental Office of Civil Rights.

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

Measures	Compliance Indicator F.2 – The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.	Measure Met? (Yes/No/NA)	Comments
F.2.a.2	When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	Yes	
F.2.a.3	When a complainant files an appeal, does the agency timely forward the investigative file to EEOC’s Office of Federal Operations? [see 29 CFR §1614.403(e)]	N/A	This function is handled by the Departmental Office of Civil Rights.
F.2.a.4	Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	Yes	

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

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

MD-715 – Part H
Part H-1

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
Agency does not conduct trend analysis on workforce data	The FHWA has not completed a three-year trend analysis for the workforce compensation and reward system by race, national origin, sex, and disability.

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)
12/15/2005	To conduct trend analyses for workforce compensation and reward system by race, national origin, sex, and disability.	09/30/2017	9/30/2023	Complete

Responsible Official(s)

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

Planned Activities Toward Completion of Objective

Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Funding & Staffing? (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
09/30/2017	The FHWA Office of Civil Rights, in continued partnership with HR, will conduct annual barrier analyses by race, national origin and sex on workforce compensation and awards for the last 3-5 years.	Yes	09/30/2022	05/30/2022 Complete

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 FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Report of Accomplishments

FY	Accomplishment
2022	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 3-5-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.

Part H-2

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
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).	The FHWA does not annually evaluate the effectiveness of its ADR Program.

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)
08/23/2021	To evaluate the effectiveness of FHWA's ADR Program	09/30/2023		

Responsible Official(s)

Title	Name	Performance Standards Address the Plan? (Yes or No)
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

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

Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Funding & Staffing? (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
03/01/2022	Develop a survey to be disseminated to FHWA employees who participate in the EEO Complaint Process.	Yes		02/28/2022
09/30/2023	Analyze survey data on an annual basis.	Yes		

Report of Accomplishments

FY	Accomplishments
2022	MS Forms Survey was developed in February 2022 and disseminated to individuals that participated in the EEO Complaints Process. Survey data will be analyzed by September 30 of each year following.

Part H-3

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.	9/30/2024		

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

Responsible Official(s)

Title	Name	Performance Standards Address the Plan? (Yes or No)
Operations Team Leader, Office of Civil Rights	Tanya Emam	Yes
Disability Program Manager, Office of Civil Rights	Kirsten Poston	Yes
Disability Program Manager, Office of Civil Rights	Elizabeth Kraszewski	Yes

Planned Activities Toward Completion of Objective

Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Funding & Staffing? (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
9/30/2022	Finalize the Agency Reasonable Accommodation case tracking system for Managers/Employees	Yes	06/30/2023	
9/30/2022	Distribute FHWA Reasonable Accommodation Procedures.	Yes	06/30/2023	
06/30/2023	Distribute FHWA Reasonable Accommodation Toolkit.	Yes	06/30/2023	

Report of Accomplishments

FY	Accomplishments
2022	<p>The FHWA developed Reasonable Accommodation (RA) request hub to improve the efficiency of tracking and responding to RA requests submitted by FHWA employees. This RA request hub allows for all requests to be generated automatically in an RA log for the Disability Program Managers to track.</p> <p>The FHWA developed FHWA RA procedures and have cleared the procedures through appropriate FHWA offices, to include the Office of Chief Counsel and Strategic Workforce Council.</p>

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 FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

MD-715 – Part I
Part I-1
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	Yes (Separation Outpace New Hire)
All Women	Yes (Workforce Rate Lower Than National Civilian Labor Force)
Hispanic or Latino Males	Yes (Separation Outpace New Hire)
Hispanic or Latino Females	Yes (Workforce Rate Lower Than National Civilian Labor Force)
White Males	Yes (Separation Outpace New Hire)
White Females	Yes (Workforce Rate Lower Than National Civilian Labor Force)
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	No
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

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

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Workforce Data Tables	Yes	A1/B1 data tables, Annual Federal EEO Statistical Report of Discrimination (EEOC Form 462), No FEAR Act Annual Report, 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	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	DOT Equity Initiatives to support EO 13985 & 13988; Equity Actions DOT https://www.transportation.gov/priorities/equity/equity-action-plan/actions
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 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

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

Objective	Date Initiated (mm/dd/yyyy)	Target Date (mm/dd/yyyy)	Sufficient Funding & Staffing? (Yes or No)	Modified Date (mm/dd/yyyy)	Date Completed (mm/dd/yyyy)
The FHWA will continue to implement its focus outreach efforts to recruit qualified female applicants and applicants from groups with lower-than-expected participation rates. The FHWA will leverage its resources to increase recruitment efforts, through the 2019-2022 Strategic Plan.	03/30/2018	09/30/2022	Yes	09/30/2024	
The 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.	04/30/2021	09/30/2023			

Responsible Official(s)

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

Planned Activities Toward Completion of Objective

Target Date (mm/dd/yyyy)	Planned Activities	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)

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

Target Date (mm/dd/yyyy)	Planned Activities	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
09/30/2023	Perform Barrier Analysis on hiring rate, separation rate, RNO and gender at higher grade levels.		

Report of Accomplishments

FY	Accomplishments
2022	In FY 22, FHWA participated in 157 recruitment events (virtual and in-person). Forty-three events were at identified minority serving institutions. Events targeted the following groups: Women, PWD, veterans/military, and diverse groups. Also, FHWA’s Recruitment, Outreach and Diversity Team updated its Strategic Recruitment Plan which includes steps in planning, sourcing, attracting, and engaging with qualified candidates to meet the Agency’s hiring needs.
2022	In FY 22, FHWA finalized the Women’s Focus Group Report. Briefings and discussions were held in FY 22 with the employee resource groups to gain their perspective centered around the triggers associated with hiring, separations, awards, job types, and mission critical occupations. Through discussions, additional personnel were identified to be added to the FY 23 barrier analysis team.

**Part I-2
 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	A4P	Groups with lower than permanent workforce at GS-13 through SES.

EEO Group(s) Affected by Trigger

EEO Group	Affected by Trigger (Yes/No)
All Men	Yes (GS-15)
All Women	Yes (GS-13, 14)
Hispanic or Latino Males	Yes (GS-14, 15, SES)
Hispanic or Latino Females	Yes (GS-14)
White Males	No
White Females	Yes (GS-13)

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

EEO Group	Affected by Trigger (Yes/No)
Black or African American Males	No
Black or African American Females	Yes (GS-14, 15)
Asian Males	Yes (GS-15)
Asian Females	Yes (SES)
Native Hawaiian or Other Pacific Islander Males	No
Native Hawaiian or Other Pacific Islander Females	No
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

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Workforce Data Tables	Yes	A1/B1 data tables, Annual Federal EEO Statistical Report of Discrimination (EEOC Form 462), No FEAR Act Annual Report, 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	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	DOT Equity Initiatives to support EO 13985 & 13988; Equity Actions US Department of Transportation (https://www.transportation.gov/priorities/equity/equity-action-plan/actions)
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)

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

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

Objective	Date Initiated (mm/dd/yyyy)	Target Date (mm/dd/yyyy)	Sufficient Funding & Staffing? (Yes or No)	Modified Date (mm/dd/yyyy)	Date Completed (mm/dd/yyyy)
The 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) 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.	07/30/ 2022	09/30/ 2024	Yes		
The FHWA will continue to implement and explore leadership pipeline efforts within internal promotion practices (i.e., interviewing, locational qualification considerations, performance reviews/awards, etc.).	07/30/ 2022	09/30/ 2024	Yes		
The FHWA will explore and benchmark successes within succession planning to share throughout the Agency.	07/30/ 2022	09/30/ 2024	Yes		

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

Responsible Official(s)

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

Planned Activities Toward Completion of Objective

Target Date (mm/dd/yyyy)	Planned Activities	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
09/30/2024	The FHWA will look to perform focus groups, garner support, and develop process to perform Agency exit interviews, and ERG Group Briefings on any identified triggers to further analyze barriers if necessary. The FHWA will explore and benchmark successes within succession planning to share throughout the Agency.		

Report of Accomplishments

FY	Accomplishments
2022	A women’s focus group report and presentation were developed based upon the listening sessions that were held. The team performed facilitated focus group sessions for women based on information gathered from the MD 715 workforce analysis. The report’s findings and recommendations have been converted into a milestone schedule. Recommendations include reviewing recruitment efforts, representation in the hiring and selection process, enhancing mentoring efforts, and to discuss exit interview process with OST. This milestone schedule is currently in draft form.

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 22, PWD in GS-1 to 10 Cluster of the permanent workforce participate at 20.69 percent a higher rate than the expected 12 percent benchmark, indicating no trigger.

PWD in the GS-11 to SES Cluster participate at 11.58 percent, a lower rate than the expected 12 percent benchmark, indicating a trigger.

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 22, PWTD in GS-1 to 10 Cluster of the permanent workforce participate at 6.90 percent a higher rate than the expected two percent benchmark, indicating no trigger.

The PWTD in the GS-11 to SES Cluster participate at 2.56 percent, a higher rate than the expected two percent benchmark, indicating no trigger.

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

The FHWA Office of Civil Rights organized and hosted our second Annual Virtual EEO Awareness Symposium in May 10-12, 2022.

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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,
Special Emphasis Program for PWD and PWTD	1			Kirsten Poston, Disability Program Manager. Jenny Liang, Disability Intake Assistant (Collateral Duty)

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 No

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

Has the agency provided sufficient funding and other resources to successfully implement the disability program during the reporting period? If “no”, describe the agency’s plan to ensure all aspects of the disability program have sufficient funding and other resources.

Yes No

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 utilizes several resources to identify potential applicants with disabilities. This includes, but is not limited to:

- Participating in recruitment and outreach events that focus on the employment of PWD. In FY 22, FHWA participated in 157 recruitment events throughout the Nation. Of those, three events were related to disability hiring.
- Developing and maintaining relationships with disability organizations and colleges with disability offices. This allows FHWA to share information related to job opportunities which can be shared with their community. In some instances, these organizations have helped FHWA to post job announcements on their recruitment sites to be more visible. The FHWA is using Handshake and Simplicity to raise awareness of our 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

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

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 PWD apply for vacancies:
 - OPM's Shared List of People with Disabilities; the Workforce Recruitment Program (WRP) database; USAJOBS Agency Talent Portal; 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.

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 percent 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 Selective 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.

The FHWA receives and reviews resumes and determines whether the applicants

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

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 PWD 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. These included recruitment options such as Veterans Hiring Flexibilities, including disabled veterans and people with disabilities.

Civil Rights Specialists also provided Webinar training on hiring authorities to all employees including hiring managers.

The FHWA HR’s Talent Development Division (TDD) provides newly promoted/hired team leaders and supervisors with a Comprehensive Critical Human Resources Skills, a three and a half-day course that includes the use of hiring authorities that take disability into account (e.g., Schedule A). This training is offered quarterly and is currently provided virtually.

TDD also provides quarterly Refresher Critical Human Resources Skills training, a 1-day course for experienced team leaders, supervisors, and managers who have previously completed the Comprehensive course. This course includes coverage of hiring authorities that take disability into account (e.g., Schedule A). The course is held quarterly by virtual means.

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 ROaD plan to conduct a review of organizations, colleges and universities, and other organizations that serve PWD and veterans. The organizations are contacted and provided information about

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

FHWA, and to obtain the name and email of a dedicated resource to contact. The Recruitment, Outreach, and Diversity Team has participated in outreach to the disability employment organizations and outreach sources as well as conducting meetings with them to update resource information and to explore potential future partnerships.

In FY 22, FHWA attended one event at a university and two events with professional organizations 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 B1-1: In FY 22, the new hire rate for FHWA PWD in the permanent workforce was 16.33 percent. The new hire rate for FHWA PWTD in the permanent workforce was 2.39 percent. were found for new hires.

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

- a. New Hires for MCO (PWD) Yes X No 0
- b. New Hires for MCO (PWTD) Yes X No 0

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

MCOs Table B6-P	PWD		Triggers	PWTD		Triggers
	Qualified External Applicants	New Hires	Yes/No	Qualified External Applicants	New Hires	Yes/No
(0020) Community Planner	1.56%	0.00%	Yes	0.44%	0.00%	Yes
(0028) Environmental Specialist	1.82%	13.33%	No	0.68%	0.00%	Yes

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

MCOs Table B6-P	PWD		Triggers	PWTD		Triggers
	Qualified External Applicants	New Hires	Yes/No	Qualified External Applicants	New Hires	Yes/No
(0501/0505) Financial Specialist	3.13%	23.08%	No	1.71%	0.00%	Yes
(0802) Engineering Technician	0.00%	20.00%	No	0.00%	0.00%	No
(0810) Civil Engineering	1.75%	5.88%	No	0.32%	0.00%	Yes
(1170) Realty Specialist	4.92%	25.00%	No	1.64%	25.00%	No
(2101) Transportation Specialist	0.41%	20.00%	No	0.21%	0.00%	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 Applicant for Internal Competitive Promotions - Major Critical Occupations by Disability: The PWD qualified as applicants at a rate lower than the relevant applicant pool within all seven of MCOs, indicating triggers. The PWTD qualified as applicants at a lower rate than the relevant applicant pool within the Community Planner, Environmental Specialist, Engineering Technician and Transportation Specialist series, indicating triggers.

MCOs Table B6-P	PWD		Triggers	PWTD		Triggers
	Relevant Applicant Pool	Qualified Internal Applicants	Yes/No	Relevant Applicant Pool	Qualified Internal Applicants	Yes/No
(0020) Community Planner	7.83%	0.00%	Yes	2.61%	0.00%	Yes
(0028) Environmental Specialist	11.82%	2.16%	Yes	0.91%	0.72%	Yes
(0501/0505) Financial Specialist	11.66%	11.38%	Yes	3.07%	10.57%	No

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 FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

MCOs Table B6-P	PWD		Triggers	PWTD		Triggers
	Relevant Applicant Pool	Qualified Internal Applicants	Yes/No	Relevant Applicant Pool	Qualified Internal Applicants	Yes/No
(0802) Engineering Technician	16.25%	0.00%	Yes	3.75%	0.00%	Yes
(0810) Civil Engineering	8.03%	5.70%	Yes	1.37%	1.90%	No
(1170) Realty Specialist	5.56%	0.00%	Yes	0.00%	0.00%	No
(2101) Transportation Specialist	9.65%	1.62%	Yes	3.22%	0.29%	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 – Major Critical Occupations by Disability: The PWD were selected at a rate lower than the qualified internal applicant pool within the Civil Engineering series, indicating a trigger. PWTD were selected at a lower rate than the qualified internal applicant pool within the Environmental Specialist, Financial Specialist, Civil Engineering and Transportation Specialist series, indicating triggers.

MCOs Table B6-P	PWD		Triggers	PWTD		Triggers
	Qualified Internal Applicants	Promotion/ Selectees	Yes/No	Qualified Internal Applicants	Promotion/ Selectees	Yes/No
(0020) Community Planner	0.00%	0.00%	No	0.00%	0.00%	No
(0028) Environmental Specialist	2.16%	8.33%	No	0.72%	0.00%	Yes
(0501/0505) Financial Specialist	11.38%	7.69%	No	10.57%	0.00%	Yes

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

MCOs Table B6-P	PWD		Triggers	PWTD		Triggers
	Qualified Internal Applicants	Promotion/ Selectees	Yes/No	Qualified Internal Applicants	Promotion/ Selectees	Yes/No
(0802) Engineering Technician	0.00%	25.00%	No	0.00%	25.00%	No
(0810) Civil Engineering	5.70%	0.00%	Yes	1.90%	0.00%	Yes
(1170) Realty Specialist	0.00%	0.00%	No	0.00%	0.00%	No
(2101) Transportation Specialist	1.62%	7.69%	No	0.29%	0.00%	Yes

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.

The 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.

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.

The FHWA encourages and provides training and career development opportunities for all employees, including PWD and PWTD. Within the Office of Human Resources, the Agency has staff dedicated to the development of a catalog of professional and leadership opportunities. The FHWA institutes several career development programs that support and prepare our Agency’s employees for enhanced performance and career advancement. These programs target

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

employees at all levels in a variety of venues. The programs are as follows:

- The PDP,
- FHWA 360 Degree Leadership Assessment,
- Is Supervision for Me?,
- Building the Foundation for Visionary Leadership,
- Career Advancement Webinar Series,
- Critical Human Resources Skills,
- Formal Mentoring Program,
- Leadership for Innovative Decision making Training,
- Innovative and Exceptional Partnerships Training,
- Individual Development Plan Workshop,
- Launch Point-Supervisory Training Program,
- Leadership Competency Certificate Program,
- Leadership Development Academy (LDA), 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	9.9	9.9	2.0	2.0
Fellowship Programs	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	339	339	15.3	15.3	2.7	2.7
Detail Programs	2	2	50.0	50.0	0.0	0.0
Other Career Development Programs	28	28	10.7	10.7	0.0	0.0

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

- | | | |
|---------------------|---|-----------------------------|
| a. Applicants (PWD) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b. Selections (PWD) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

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

Using the percentage of PWD at the start of FY 22, 11.63 percent (**Source: Table B1-1**) as the relevant applicant pool: Applicant Triggers exist for the Internship and Other Career Development Programs. Selectee Triggers exist for the Internship, Mentoring, and Other Career Development 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 <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b. Selections (PWTD) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Using the percentage of PWTD at the start of FY 22, 2.93 percent (**Source: Table B1-1**) as the relevant applicant pool: Applicant Triggers exist for the Internship, Training, Detail and Other Career Development Programs. Selectee Triggers exist for the Internship, Mentoring, Training, Detail 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 <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b. Awards, Bonuses, & Incentives (PWTD) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Source: Table B9-2: 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 analyze triggers. (See table below)

PY 2022 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
Formula	[Subtract the Total # of Persons with Disability (PWD) recipients from the Total # of Recipients]	Inclusion Rate [Divide the Total # of PWD and PWTD recipients by their total # in the permanent workforce]	Benchmark-Inclusion Rate [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]
PWD Cash	2516-305 = 2211	305/340 = 89.71%	2211/2383 = 92.78%	Yes
PWTD Cash		74/81 = 91.36%		Yes

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

PY 2022 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD Time-Off	1895-235 = 1660	235/340 = 69.12%	1660/2383 = 69.66%	Yes
PWTD Time-Off		53/81 = 65.43%		Yes

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 No
- b. Pay Increases (PWTD) Yes No

Source: Table B9-2: 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 2022 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD QSI	45 – 4 = 41	4/340 = 1.18%	41/2383= 1.72%	Yes
PWTD QSI		0/81= 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 No N/A
- b. Other Types of Recognition (PWTD) Yes No N/A

Source: Table B9-2 plus other data to analyze triggers: When analyzing the Honorary award category, a trigger is indicated for PWD when compared to their inclusion rate, but not for PWTD. (See the table below)

PY 2022 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD SES	46 – 3 = 43	3/3 = 100.00%	43/51 = 84.31%	No
PWTD SES		0/0 = N/A		No

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

PY 2022 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD Honorary Awards	127 – 12 = 115	12/340 = 3.53%	115/2383 = 4.83%	Yes
PWTD Honorary Awards		5/81 = 6.17%		No

D. PROMOTIONS

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

a. SES			
i. Qualified Internal Applicants (PWD)	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	X	No 0
c. Grade GS-14			
i. Qualified Internal Applicants (PWD)	Yes	X	No 0
ii. Internal Selections (PWD)	Yes	0	No X
d. Grade GS-13			
i. Qualified Internal Applicants (PWD)	Yes	X	No 0
ii. Internal Selections (PWD)	Yes	X	No 0

Source: Table B-7 SENIOR GRADE LEVELS: 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 GS-13 to 15, SES). The PWD applicants qualify at rates lower than they apply for the GS-13, GS-14, GS-15, and SES grade levels. Of those qualified, PWD are internally selected at rates lower than they are qualified for each level, except GS-14. 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
SES	9.38%	3.13%	Yes	0.00%	Yes

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

Senior Grade Level	PWT				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
GS-15	7.92%	0.79%	Yes	0.00%	Yes
GS-14	10.34%	2.01%	Yes	7.27%	No
GS-13	12.32%	5.65%	Yes	4.55%	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 X No 0
 - 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-14
 - i. Qualified Internal Applicants (PWTD) Yes X No 0
 - ii. Internal Selections (PWTD) Yes X No 0
- d. Grade GS-13
 - i. Qualified Internal Applicants (PWTD) Yes 0 No X
 - ii. Internal Selections (PWTD) Yes X No 0

Source: Table B-7 SENIOR GRADE LEVELS: 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). The PWTD applicants qualify at rates lower than applied for the GS14, GS15, and SES grade levels. Of those qualified, PWTD are internally selected at rates lower than they are qualified for each 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 SELECTION	Triggers Yes/No
SES	4.02%	3.13%	Yes	0.00%	Yes
GS-15	2.51%	0.40%	Yes	0.00%	Yes
GS-14	1.15%	0.57%	Yes	0.00%	Yes

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

Senior Grade Level	PWTD				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
GS-13	3.08%	3.23%	No	2.27%	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-14 (PWD) Yes 0 No X
- d. New Hires to GS-13 (PWD) Yes 0 No X

Source: Table B-7 SENIOR GRADE LEVELS: The Agency used Table B-7 to analyze the applicant flow of qualified applicants and/or selections for New Hires by grade and PWD to the senior level (analysis included GS-13 to 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 are displayed below:

Senior Grade Level	PWD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
SES	1.61%	0.00%	Yes
GS-15	2.04%	0.00%	Yes
GS-14	2.85%	15.00%	No
GS-13	2.45%	4.76%	No

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box.

- 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-14 (PWTD) Yes X No 0
- d. New Hires to GS-13 (PWTD) Yes X No 0

Senior Grade Level	PWD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
SES	0.40%	0.00%	Yes
GS-15	0.74%	0.00%	Yes
GS-14	0.98%	0.00%	Yes
GS-13	0.67%	0.00%	Yes

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

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

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

Source: Table B8: PWD Qualified Internal Applicants and Selectees all fell lower than their benchmarks, indicating triggers.

Supervisory Positions	PWD				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
Executives	9.38%	3.13%	Yes	0.00%	Yes
Managers	7.92%	1.45%	Yes	0.00%	Yes
Supervisors	11.29%	3.79%	Yes	0.00%	Yes

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

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

Source: Table B8: Most PWTD Qualified Internal Applicants and Selectees all fell lower than their benchmarks, indicating triggers.

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

Positions	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
Executives	4.02%	3.13%	Yes	0.00%	Yes
Managers	2.51%	0.00%	Yes	0.00%	No
Supervisors	2.07%	0.76%	Yes	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: The PWD were selected at rates lower than the qualified applicant pool within the Executive, Manager and Supervisor ranks, indicating triggers.

Supervisory Positions	PWD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
Executives	1.61%	0.00%	Yes
Managers	3.45%	0.00%	Yes
Supervisors	3.23%	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

Source: Table B8: The PWTD 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	0.40%	0.00%	Yes
Managers	1.15%	0.00%	Yes
Supervisors	0.65%	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

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

Source: Table B1-2 - Separations by Type of Separation - Distribution by PWTD - Permanent Workforce: Based on the inclusion rate in FY 22, the voluntary separation rate for PWTD (8.64 percent) was lower than employees without a disability (9.27 percent) for the permanent workforce. The PWD involuntary separation rate (2.47 percent) however, is higher than the non-PWD involuntary separation rate (0.08 percent), indicating a trigger.

FY 2022 Separations	Inclusion Rate for EEO Group	FHWA Total Permanent Workforce Inclusion	Trigger
Formula	Inclusion Rate [Divide the Total # of PWTD separations by their total # in the FHWA permanent workforce]	Benchmark-Inclusion Rate [Divide the Pw/oD separations into their respective # in Perm Workforce]	[Triggers exist if Inclusion rate for PWTD is higher than Inclusion rate for Pw/oD]
PWTD Voluntary	7/81 = 8.64%	221/2383 = 9.27%	No
PWTD Involuntary	2/81 = 2.47%	2/2383 = 0.08%	Yes

- 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. .

Participation in exit interviews and exit surveys is voluntary. In the exit surveys submitted for FY 22, individuals who self-identified as having a disability and did not identify as individual with a targeted disability specified the following reasons for their separation:

- One PWD from Quarter One: Retirement
- Three PWDs from Quarter Two: Transferred - one promotion, two lateral moves.

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.

- 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/>.

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

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 issued a memo on accessibility that provides roles and responsibilities for staff to ensure that virtual event is accessible for all participants. Also, FHWA has made modifications to the MS Teams Web conferencing format to allow for audio/bridge lines to ensure video relay services can connect into meetings.

The Section 508 program held 85 instructor-led training sessions in FY 22 to train employees on their responsibilities under Section 508. Instructor-led training will continue monthly in FY 23. New training development will continue in FY 23.

The Section 508 learning portal was launched where employees can take Section 508 training on demand. New training will be added in FY 23.

C. REASONABLE ACCOMMODATION PROGRAM

Pursuant to 29 C.F.R. § 1614.203(d)(3), agencies must adopt, post on their public Website, and make available to all job applicants and employees, reasonable accommodation procedures.

1. Please provide the average time frame for processing initial requests for reasonable accommodations during the reporting period. (Please do not include previously approved requests with repetitive accommodations, such as interpreting services.)

The average processing time in FY 22 for RA Requests was 91.8 days.

The average processing time in FY 22 for RA Requests less than 25 days was 2.4 days.

The average processing time in FY 22 for RA Requests greater than 25 days was 89.3 days.

Processing time increased in FY 22 due to multiple extenuating circumstances, to include an uptick in requests connected to the Agency's return to the office. When possible, employees were provided with interim accommodations. To

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

resolve the delay in processing times, FHWA added more personnel to this program to manage processing times.

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 22, FHWA finalized its draft Reasonable Accommodation procedures to comply with DOT Order 1101.1B "Procedures for Processing Reasonable Accommodation Requests by DOT Job Applicants and Employees with Disabilities." In addition, FHWA modified its medical documentation template; closeout letter; and overview checklists for managers/supervisors outlining the reasonable accommodation responsibilities. Moreover, the Disability Program Manager provided virtual training at the FY 22 EEO Symposium held in the summer of FY 22. 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.

1. 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 DOT.

Section VI: EEO Complaint and Findings Data

A. EEO COMPLAINT 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 X No 0 N/A 0

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.

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 FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

Objective(s)	<p>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 percent of all new hires at GS-1 to 10 and GS-11 to SES should be PWTD.</p> <p>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.</p>
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Responsible Official(s)	Performance Standards Address the Plan? (Yes or No)
David Lewis, Director, Office of Human Resources	Yes
Tanya Emam, Operations Team Leader, Office of Civil Rights	Yes

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

Sources of Data	Sources Reviewed? (Yes or No)	Identify Information Collected
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

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Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
Ongoing	Educate hiring managers and HR Specialists on available hiring flexibilities to include Schedule A.	Yes	09/30/2024	
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	09/30/2024	
Ongoing	Develop step by step procedures on the Reasonable Accommodations process in easy-to-use format for employees.	Yes	09/30/2022	

FY	Accomplishments
2022	The FHWA's Disability Program Manager, Team Lead, and Detailee provided RA guidance to employees and managers and assisted in processing 52 RA requests during FY 22.
2022	The FHWA's Disability Program Manager provided virtual RA training at the FY 22 Virtual EEO Awareness Symposium.
2022	The FHWA completed its draft Reasonable Accommodation Procedures that will be used by employees, including manager and supervisors.

Trigger 2	Individuals with disabilities (PWD) and targeted disabilities (PWTD) have a lower participation rate in selection for FHWA leadership pipeline positions in GS-13 to SES.
Barrier(s)	<p>Career Development, Internal Promotion, & New Hires: The FHWA explores potential blocked pipelines in grade. The DOT has not identified the causes of the condition at the time of reporting.</p> <p>Reasonable Accommodation: The 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).</p>

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Objective(s)	The FHWA will continue to implement and explore leadership pipeline efforts within internal promotion practices for PWD and PWTD (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 FY 22 MD-715 Report.
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Responsible Official(s)	Performance Standards Address the Plan? (Yes or No)
David Lewis, Director, Office of Human Resources	Yes
Tanya Emam, Operations Team Leader, Office of Civil Rights	Yes

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

Sources of Data	Sources Reviewed? (Yes or No)	Identify Information Collected
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

Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)

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Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Staffing & Funding (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yyyy)
09/30/22	Roll out and implement a Reasonable Accommodation Request Portal to create a user-friendly and seamless RA request process for both requestors and decisionmakers.	Yes	06/30/2023	
Ongoing	Provide training to all FHWA staff on FHWA's Reasonable Accommodation procedures and process.	Yes		
Ongoing	Conduct site visits to FHWA regional offices that have not yet received in person RA training and/or require additional training for RA process improvement and fostering an inclusive environment.	Yes		

FY	Accomplishments
2022	The Office of Civil Rights partnered with FHWA's Data Visualization Center to create an RA request hub for employees to submit their request, managers to review and render an RA decision, and Disability Program Managers to track requests and associated timelines. The request hub is in a final testing status and the Office of Civil Rights is collaborating with the Office of Information Technology to ensure medical documentation including SPII is stored in a confidential manner.
2022	The FHWA hosted a session during NDEAM. The keynote speaker, Alexander Van Hook, is a law student with multiple disabilities.
2022	The Disability Program Manager provided training for FHWA Managers/Supervisors and employees on the Reasonable Accommodation process.

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

While the RA request hub for employees has been developed and piloted, a barrier arose regarding storing SPII on a SharePoint site. After the Office of Civil Rights was advised not to store medical documentation via the SharePoint site, additional collaboration and planning with the Office of Information Technology began. The adjusted target implementation date is no 06/30/2023.

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

The FY 22 NDEAM informational session provided FHWA employees with an example of a success story in the disability community. Employees were shown an example of an individual who despite many barriers, is successfully accomplishing their goals and preparing for a career with a pipeline to leadership.

The RA training provided during FY 22 assisted in creating an FHWA population that is informed of the RA process and how it may assist individuals to perform their essential work functions. When barriers are removed and effective reasonable accommodation solutions are implemented, PWDs and PWTDs are better positioned to succeed in their role and potential promotional opportunities.

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.

In FY 23, FHWA will conduct a barrier analysis to determine why PWDs and PWTDs have a lower participation rate in selection for FHWA leadership pipeline positions in GS-13 to SES, which will include an analysis of job descriptions, qualification criteria, interview procedures, or other factors that could be unintentionally excluding qualified candidates. Training will also be provided to managers, supervisors, and HR staff on disability inclusion, reasonable accommodations, and unconscious bias.