

U.S. Department of Transportation
Federal Highway Administration
Fiscal Year 2023

MANAGEMENT DIRECTIVE 715 ANNUAL EEO PROGRAM STATUS REPORT



U.S. Department of Transportation
Federal Highway Administration

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

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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	2850	22	2872

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 Equal Employment Opportunity (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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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)	Lucy Marius	EEO Programs and Management Analyst	0343	GS-13	202-366-3384	Lucy.Marius@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)	Elizabeth Kraszewski	Disability Policy Manager	0301	GS-14	202-366-1585	Elizabeth.Kraszewski@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)	Jada Bigham	Program Analyst	0343	GS-12	202-366-9437	Jada.Bigham@dot.gov
Reasonable Accommodation Program Manager	Elizabeth Kraszewski	Disability Policy Manager	0301	GS-14	202-366-1585	Elizabeth.Kraszewski@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
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

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EEO Program Staff	Name	Title	Occupational Series	Pay Plan and Grade	Phone Number	Email Address
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
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

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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
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
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

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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
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 Management Directive 715 (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	
Reasonable Accommodation Procedures	Yes	
Personal Assistance Services Procedures	Yes	The Departmental Office of Civil Rights submits this document on behalf of the DOT.
Alternative Dispute Resolution Procedures (ADR)	Yes	The Departmental Office of Civil Rights submits this document on behalf of the DOT.

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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 14035	Yes	
Diversity Policy Statement	Yes	
Human Capital Strategic Plan	Yes	The Departmental Office of Human Resource Management will provide this plan.
EEO Strategic Plan	Yes	The FHWA Office of Civil Rights developed a FY 23–26 Strategic Plan which includes EEO.
Results from most recent Federal Employee Viewpoint Survey (FEVS) or Annual Employee Survey (AES)	Yes	The FHWA conducts an All-Employee Survey every 2 years in addition to the 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 in permanent FT/PT appointments are required to complete Part E.2 to E.5. Agencies with 200 or more employees in permanent FT/PT appointments have the option to complete Part E.2 to E.5.

Part E.1 - Executive Summary: Mission

The FHWA submission of the annual Equal Employment Opportunity (EEO) Program Status Report for FY 23 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. Highlighted below are the FHWA’s accomplishments in establishing and maintaining a model EEO Program for FY 23.

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

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(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 FHWA is headed by 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 FHWA Office of Civil Rights reports to the FHWA's Executive Director. The FHWA Executive Director is the Senior Executive leader that leads FHWA in its day-to-day operations and guiding FHWA as it administers more than \$350 billion national program.

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's FY 22–26 Strategic Plan outlines the current goals and objectives of FHWA, aligns FHWA's efforts with the DOT FY 22–26 Strategic Plan, and reflects the Administration's priorities. 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 opportunities and challenges 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 goals defined in the DOT's 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. Efforts to demonstrate this commitment include:

- Senior leadership receives briefings on the FHWA workforce data and MD-715 information 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 including Anti-Harassment training.

The annual FHWA's Administrator's Awards Program includes an award category titled "Diversity and Inclusion Award," which recognizes 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. The annual DOT's Secretary's Award Program features an award category titled "Diversity, Equity, and Inclusion" recognizing the value management places on DOT's commitment and successful results achieved in EEO. It honors the extraordinary efforts and results of individual employees and teams for effectively implementing strategies for successful outreach, hiring, development, advancement,

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and retention of individuals from gender, race, national origin, and targeted disability groups with low participation rates in the DOT workforce.

On January 13, 2023, Shailen P. Bhatt was sworn in by DOT's Secretary Pete Buttigieg as the 21st Administrator of FHWA. Mr. Bhatt was confirmed unanimously by voice vote in the United States Senate on December 8, 2022. He is the first person of Indian descent to lead FHWA. In this role, Mr. Bhatt provides executive leadership on strategic initiatives and policy, including administering more than \$350 billion as part of BIL and its formula and competitive grant programs that are available to State departments of transportation, metropolitan planning organizations, local governments, Tribes, territories, Federal land management agencies, and other organizations.

On October 20, 2022, Gloria M. Shepherd was named Executive Director of FHWA, a role in which she leads the delivery of world-class highway and street programs that advance safe, efficient, equitable, and sustainable mobility choices for all while strengthening the Nation's economy. As Executive Director, Ms. Shepherd manages FHWA's daily operations and its personnel, and advises the Administrator, Deputy Administrator, and senior officials throughout DOT. Ms. Shepherd is the 1st woman, 1st African American, and 11th individual to hold the position of Executive Director since FHWA's founding in 1971.

The FHWA's Senior Leadership demonstrates their commitment to advancing a model EEO Program in several ways, including through participating in FHWA's Diversity Management Committee Women's Forum series, engaging with Employee Resource Groups (ERG), participating in the EEO 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 FHWA.

All Employee Survey Updates

Since the early 1990's, FHWA has been conducting the FHWA AES. Currently, the survey is conducted every other year.

In 2023, out of 2823 FHWA employees, 2241 employees participated in the survey resulting in a response rate of 79 percent. The number of respondents and participation rates from primary groups in FHWA are shown below.

FHWA Headquarters	711/1000	71%
Office of Transportation Workforce Development and Technology	136/160	85%
Federal-aid Division Offices	905/984	92%
Federal Lands Highway	489/679	72%

Based on the results of the survey, FHWA's Human Resources Management Committee (HRMC) will create an action plan to address lower scoring items. The FHWA AES Action Plan will include objectives and accountability measures that address the needs across FHWA in different offices. Each objective will have a champion. The HRMC tracks and monitors the recommended follow-up activities in the FHWA AES Action Plan, which are intended to

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improve the FHWA AES scores. The HRMC provides advice on other employee satisfaction feedback instruments and reviews the information gleaned from them to ensure that solicitation of employee input is coordinated and comprehensive. The HRMC conducts listening sessions, upon request, for various employee groups to gather anonymous employee feedback in addition to the FHWA AES results. All feedback is reviewed to identify themes common to those identified in the FHWA AES results, to identify issues to include as hot topics for the next FHWA AES, and to improve the accuracy of the FHWA AES Action Plan.

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

Each unit within FHWA is tasked to develop and implement activities that are centered around incorporating equal opportunity into workforce, program delivery, and project management efforts. The FY 22–26 FHWA Strategic Plan incorporates diversity, equity, inclusion, and accessibility in its Diversity Core Value statement and throughout defined actions to support the DOT Strategic Plan’s goals and objectives. The FHWA’s Strategic Plan’s Diversity Core Value states that at the FHWA, “We develop and support a workforce that reflects the diversity of our country. We strive to be a model of diversity, equity, inclusion, and accessibility by removing barriers to equitable opportunity.” The FHWA also added a cross-cultural strategy to its FY 22–26 FHWA Strategic Plan that emphasizes that FHWA will “cultivate a diverse workplace and an inclusive culture.”

To improve the efficiency and effectiveness of the organization, FHWA 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 FHWA can successfully fulfill its mission.

The FHWA 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 FHWA 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. 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.
- The FHWA Office of Civil Rights received the support from the Executive Director and expanded the Full-Time Employees (FTE) in the FHWA Office of Civil Rights from 19 FTE to 35 FTE.
- The FHWA Office of Civil Rights updated its Roadmap for FY 23–FY 27. This roadmap is a strategic and budgetary plan, to reflect upon the activities to support diversity, equity, inclusion, and accessibility initiatives. Throughout the fiscal years, the Roadmap is periodically adjusted to reflect changing priorities and workforce needs.
- The FHWA continued to communicate its Anti-Harassment Policy through its public Website (<https://www.fhwa.dot.gov/civilrights/programs/anti-harassment/>). In addition, the FHWA’s Anti-Harassment and Equity Coordinator meets monthly with the FHWA Executive Director to discuss case data, trends, and work efforts for the prevention of harassment.
- The FHWA promoted programs that engage employee participation in committees, such as the HRMC and Diversity Management Committee (DMC), that support efforts to

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improve FHWA as an organization.

- The FHWA continued to support employee development and growth by encouraging employees in their technical field/discipline to enhance knowledge management throughout FHWA and support closing competency gaps through discipline learning and development.
- The FHWA continued to promote a culture that recognizes employee contributions using informal and formal recognition programs at the local and national level.
- The FHWA implemented diverse pipeline recruitment initiatives, including 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, Workforce Recruitment Program, USAJOBS Agency Talent Portal, and expanded Career Development Programs.

Element C – Management and Program Accountability

The FHWA's employees received updated training on EEO, Prevention of Harassment, and Reasonable Accommodations through the FHWA Office of Civil Rights. The FHWA's Office of Civil Rights Website (<https://www.fhwa.dot.gov/civilrights/>) 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.

Prevention of Harassment Program (Anti-Harassment)

The FHWA hosted in-person training for six field/division offices. The training was provided to employees and managers, and it covered identifying harassing behavior, when the Anti-Harassment process can be used, the relief available, and the Anti-Harassment step-by-step process from intake to closure. The FHWA hosted a virtual training on the Anti-Harassment process for offices looking to have tailored Anti-Harassment training for their office employees.

Reasonable Accommodations and Disability Program

The FHWA Disability Program gained additional staff support in FY 23 due to the increase in the number of reasonable accommodation requests. There were two technical assistance visits in person and two virtual training sessions for Headquarters and field offices. In recognition of the 2023 National Disability Employment Awareness Month (NDEAM), the FHWA Office of Civil Rights invited a panel of speakers with disabilities to share their experiences and perspectives in the workplace. The FHWA's Disability Program Managers 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.

In FY 23, the FHWA distributed its FHWA Reasonable Accommodation Procedures to all FHWA staff on June 21, 2023. Several virtual technical assistance sessions were held with FHWA field managers. Also, a question-and-answer resource tool was developed to help guide their understanding of the new procedures. The virtual rollout trainings occurred on the following dates: for Senior Level Leadership on August 15, 2023; for Supervisors/Managers/Team Leads on September 12, 2023; and for All-Staff on September 20, 2023.

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Special Emphasis Programs

The FHWA Office of Civil Rights continues to utilize Special Emphasis Programs and engages with FHWA ERGs to increase employee engagement and to demonstrate FHWA's commitment as a model EEO workplace. FHWA continued to host a series of Webinars that are intended to educate the workforce about the different ERGs within FHWA.

In FY 23, FHWA leadership championed, and the FHWA Office of Civil Rights disseminated, positive messaging recognizing and honoring monthly observances and virtually hosted, with the support of FHWA ERGs, the following FHWA Special Emphasis Program Events:

- **African American History Month:** In collaboration with the African American Leaders in Transportation, an event "Leading Change: Finding Your Voice Through Adversity" was held on February 9, 2023, that included Hezekiah Watkins, Mississippi's Youngest Freedom Rider, sharing his life lessons on what it takes to keep pushing forward, despite the challenges.
- **Women's History Month:** On March 16, 2023, FHWA hosted a virtual table talk for Women's History Month, themed "Celebrating Our Journey." The diverse panel of women leaders shared insights on career barriers, gender-related challenges, and experiences they wished were different. The discussion included valuable advice for the next generation of female leaders, emphasized mutual support among women in organizations, and explored personal success strategies. The panelists underscored the importance of inclusivity in leadership, stressing awareness of who is present at the table and recognizing those who may be absent.
- **Asian American, Native Hawaiian and Pacific Islander Heritage Month:** On May 10, 2023, in collaboration with Asian Pacific American Employees Council ERG, Volpe Asian Pacific Islander Desi American ERG, and the FHWA Office of Civil Rights was held. The event featured a Fireside Chat with FHWA Administrator, Shailen Bhatt, a historical presentation of the Minidoka Historical Site by the Kurt Ikeda from the National Park Service, and a live performance. This event was also highlighted by Administrator Bhatt in an email to all FHWA employees.
- **Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI+) Pride Month:** On June 28, 2023, FHWA organized a virtual Pride LGBTQI+ event around the theme "Equality Without Exception," prioritizing acceptance and inclusion. The opening remarks emphasized the universal importance of equality. A detailed history of LGBTQI+ Pride, including significant events and figures, was presented. The event included a panel discussion with representatives from three Pride ERGs (DOT Pride, Federal Aviation Administration Pride, and Volpe Pride), sharing their goals and initiatives. Following the panel, a spirited Pride Trivia session tested participants' knowledge on LGBTQI+ milestones.
 - Following expressed interest during the Pride event, FHWA formed a team to establish a Pride ERG with the goal of fostering a more inclusive workplace for LGBTQI+ employees. This ERG is dedicated to creating a safe community, advancing inclusivity, raising awareness, promoting visibility, and fostering collaboration. Core objectives include increased awareness, full inclusion within FHWA and DOT, resource sharing, education initiatives, community building, visibility efforts, and advocacy for LGBTQI+ inclusivity in policies. The

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FHWA's Pride ERG seeks to create a supportive space, contribute to workplace diversity, and advocate for positive changes in practices related to LGBTQI+ employees.

- **Hispanic Heritage Month:** The 2023 National Hispanic Heritage Month Celebration was hosted by FHWA Hispanic Engagement Initiative (HEI) in collaboration with the FHWA Office of Civil Rights. The theme was "Todos Somos, Somos Uno: We Are All, We Are One." The agenda included a distinguished panel of speakers, each offering unique perspectives, from sharing their immigration journey to discussing the importance of leadership and role models, and a fascinating exploration of Latinx cultural influence and artistic achievements. This year's theme celebrated unity in diversity within the Hispanic community and its profound contributions to American culture.
- To celebrate NDEAM on October 27, 2022, the FHWA Office of Civil Rights hosted a guest speaker on the NDEAM theme of "Disability: Part of the Equity Equation." The speaker provided much needed insight on his professional experience within the legal field and outlined the importance of inclusive practices and effective methods to overcome barriers so that people with disabilities will thrive in the workplace.
- **National American Indian Heritage Month:** On November 16, 2022, and November 30, 2022, the FHWA's Office of Tribal Transportation on the Tribal Transportation Program with the support from the FHWA Office of Civil Rights hosted "The FHWA Consultation Role in Government-to-Government Relationships" and "Noteworthy Tribal Projects Built in 2022." In these Webinars, participants shared FHWA's relationship with Tribes and the Tribes that participated showcased their unique and diverse Tribal cultures through the projects being implemented in their communities.

Human Resources Outreach Efforts

The staff of FHWA's Employee Relations and the FHWA Office of Chief Counsel continued to collaborate closely with the FHWA Civil Rights Disability Program Manager to support the reasonable accommodations program across our workforce. They also continued to work closely with the Anti-Harassment Coordinator to ensure prompt and effective responses to harassment complaints.

The Employee Relations staff conducted various trainings for supervisors and team leads, including Critical Human Resources Skills. In addition, the Employee Relations team delivered eight 2-day Employee Relations Bootcamps to managers, supervisors, and team leaders on October 25–26, 2022, November 8–9, 2022, November 15–16, 2022, February 7–8, 2023, February 15–16, 2023, March 6–7, 2023, July 25–26, 2023, and August 29–30, 2023. All classes were held in person, with three sessions in Lakewood, Colorado, two sessions in Vancouver, Washington, two sessions in Ashburn, Virginia, and one session in Vienna, Virginia. The FHWA Office of Chief Counsel participated in providing this training. This training highlighted areas such as Prohibited Personnel Practices, EEO rights, the Anti-Harassment Program, and the Reasonable Accommodations Program. A presentation from the Office of Special Counsel on Prohibited Personnel Practices and Whistleblower Protections was provided to FHWA employees during this Bootcamp.

Accessibility and 508 Compliance

The Section 508 program held 61 instructor-led training sessions in FY 23 to train employees on

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their responsibilities under Section 508. In FY 23, PowerPoint training was added to the Section 508 learning portal, launched in FY 22 along with other resources such as a best practices library and an option to request a 508 consultation/coaching session.

The Section 508 Program launched a “Section 508 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 take about 5 minutes to read, which helps the staff to quickly learn about the Section 508 requirement.

Targeted Recruitment and Outreach Efforts

In FY 23, the FHWA continued to build upon corporate recruitment efforts to address the low representation of women, Hispanic or Latino women, and individuals with disabilities in the FHWA workforce. The FHWA attended recruitment and outreach events to targeted demographics and other groups with low participation rates. The events included the following:

- 199 total virtual and in-person recruitment & outreach events.
- 19 events with Historically Black Colleges and Universities (HBCU).
- 22 events with Hispanic Serving Institutions (HSI).
- Nine events with Asian American and Native American Pacific Islander Institutions.
- Three events targeting Native Americans.
- Five events targeting Female professionals.
- Three events targeting persons with disabilities (PWD).
- 12 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 across FHWA to deliver virtual employment workshops for the public. These workshops aimed to educate participants about FHWA and attract prospective candidates to apply for open positions. 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 continued to educate hiring managers on special hiring authorities while developing recruitment packages.

The FHWA 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 the FHWA’s hiring managers could take to increase and maintain a diverse workforce within the FHWA.

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Element D – Proactive Prevention of Unlawful Discrimination

The FHWA Office of Civil Rights conducted Anti-Harassment, EEO, and Reasonable Accommodation training for several offices on the dates mentioned below:

- Florida Division (Tallahassee and Orlando offices) on February 21–22, 2023
- Pennsylvania Division on April 27, 2023
- Maryland Division on May 1, 2023
- Wisconsin Division on May 15, 2023
- Puerto Rico Division on August 22, 2023

The training was aimed to educate field personnel on the available processes to address workplace conflicts and provide information on requesting a reasonable accommodation. It also informed the employees about the points of contact to seek further assistance if required.

The FHWA Office of Civil Rights held its fourth annual EEO Awareness Symposium from May 9–11, 2023. The symposium included virtual sessions to educate FHWA employees on our workforce, and in the areas of Anti-Harassment, EEO, diversity, conflict resolution, and effective communication.

Over 14 workshops were offered to FHWA employees as well as other modal administration employees to educate the workforce. During this symposium, several sessions such as:

- State of the Agency Briefing – MD-715
- Which Lane Are You In? Panel
- Diversity, Equity, Inclusion, & Accessibility Updates
- Mock Anti-Harassment Session
- Mock EEO Counseling Session
- Reasonable Accommodation Session
- Role of Agency Counsel in Employment Law
- Alternative Dispute Resolution
- Agency Leadership Panel: Successful Communication Styles
- Unconscious Bias Session
- The Power of the Mindful Workplace Apology
- Diversity and Inclusion Best Practices
- Diversity Hiring Guide Overview
- Everything You Wanted to Know About Employee Resource Groups
- Announcement of Forthcoming FHWA Reasonable Accommodation Procedures

Since the FHWA's rollout of the Anti-Harassment Policy Framework in 2019, the FHWA Office of Civil Rights has developed regular outreach to employees and managers on the Anti-Harassment process. As trends are established, the FHWA Office of Civil Rights has focused efforts to ensure the effectiveness of communication is included in all its Anti-Harassment trainings. In addition, FHWA has promoted mediation early in the process to aid with communication between employees and supervisors.

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The FHWA provided ad hoc training and outreach at the request of individual offices, for example, discussing Anti-Harassment at their weekly meetings.

Diversity Management Committee

The FHWA continued to utilize the DMC 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.

In FY 23, the DMC continued its DMC Forum series which is designed to foster greater connections among staff. The committee conducted two forums. The first forum was on “Belonging” and engaged with FHWA staff to educate on the importance of employees having a sense of “Belonging” to be a result of a culture that embraces diversity, inclusion, equity, and accessibility. The second forum was on “Cultural Competence” through this session, the DMC aimed to manifest a vision of embracing cultural diversity and promoting inclusivity, where voices from different backgrounds come together to share their heritage, fostering a deeper understanding and appreciation of each other's unique experiences. The Forums were very well attended and very well received. The Forums enabled employees to initiate connections within FHWA, and employees provided overwhelming feedback that these Forums were helpful and appreciated. The Forum Team assisted FHWA in upholding the ideals of diversity, inclusion, and engagement within FHWA and served as role models to improve workplace culture. They worked above and beyond their everyday duties to help carry out key initiative of promoting and educating the FHWA workforce on benefits of diversity, equity, inclusion, and accessibility.

In FY 23, the DMC also created two Fact Sheets: Cultural Competence and Unconscious Bias. The Fact Sheets provide information on a wide assortment of Diversity, Equity, Inclusion, and Accessibility (DEIA)-related concepts. The Fact Sheets serve as a complement to DEIA training by providing easy-to-access information on topics that may not be familiar to FHWA staff.

The DMC, in partnership with FHWA’s Diversity Champions, continued to highlight a wide range of observances and traditions that acknowledge unique segments of our population. The DMC released monthly Diversity Awareness Newsletters featuring a variety of content including cultural observances, holidays, training opportunities, breaking news, recipes, trivia, inspirational stories, employee resource/affinity group information, and more.

Element E – Efficiency

In FY 23, FHWA timely submitted to EEOC the Annual Federal EEO Statistical Report of Discrimination Complaints (EEOC Form 462) report, and DOT’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 July 2023.

The FHWA actively engaged in the ongoing collection, monitoring, and analysis of complaint data, employee demographic information, applicant flow data, recruitment activities, reasonable accommodation requests, and harassment allegations. By monitoring trends in its Reasonable Accommodation, Anti-Harassment, and EEO programs, the FHWA assesses its compliance with the statutes enforced by the EEOC. Furthermore, FHWA reviews best practices from other

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agencies to enhance the efficacy of these programs.

The FHWA continued to ensure that all EEO policies are prominently posted in all personnel offices, employee bulletin boards, and on the FHWA Office of 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 the FHWA Website (<https://www.fhwa.dot.gov/civilrights/>).

Element F – Responsiveness and Legal Compliance

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

Part E.3 – Executive Summary: Workforce Analyses

In FY 23, FHWA onboard strength showed a total of 2,872 employees, of whom 2,850 were permanent employees and 22 were temporary employees.

In FY 23, FHWA exceeded its Section 501 goal of 12 percent onboard of PWD, as well as its 2 percent goal for new hires and onboard of persons with target disabilities (PWTD). The percentage of PWD hires was slightly lower than the 12 percent goal at 11.71 percent. In FY 23, 3.38 percent of all new hires were PWTD. The PWD comprise 12.71 percent of the total FHWA workforce, which trends higher than the 12.49 percent reported in FY 22. The PWTD comprise 2.96 percent of the total FHWA workforce, which was slightly lower than the 2.97 percent reported for FY 22.

In FY 23, veterans with 30 percent or more disability represented 5.4 percent of all hires and 4 percent of the total workforce.

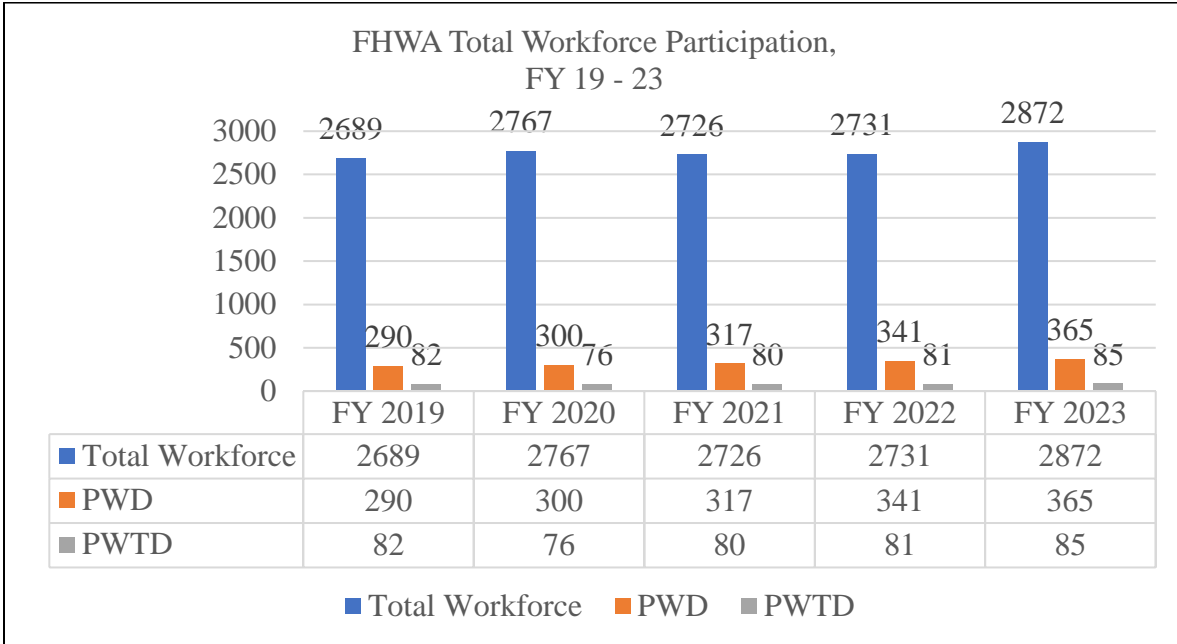
The FHWA reports out the following regarding the overall diversity of its workforce between FY 19 and FY 23:

- 1) Hispanic or Latino employees in FHWA's permanent workforce increased from 8.93 percent to 10.03 percent from FY 19 to FY 23. Hispanic or Latino Males increased from 5.5 percent to 5.75 percent and Hispanic or Latino Females increased from 3.4 percent to 4.28 percent.
- 2) Black or African American employees in FHWA's permanent workforce increased from 15.02 percent to 16.36 percent from FY 19 to FY 23. Black or African American Male employees increased from 6.3 percent to 6.86 percent and Black or African American Female employees increased from 8.7 percent to 9.51 percent.
- 3) Asian employees in FHWA's permanent workforce increased from 8 percent to 8.84 percent from FY 19 to FY 23. Asian Male employees increased from 5.3 percent to 5.54 percent and Asian Female employees increased from 2.7 percent to 3.31 percent.
- 4) Native Hawaiian or other Pacific Islander employees in FHWA's permanent workforce slightly decreased from 0.15 percent to 0.14 percent from FY 19 to FY 23. Native Hawaiian or other Pacific Islander Male employees maintained the same at 0.1 percent. Native Hawaiian or other Pacific Islander Female employees increased from 0 percent to

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0.03 percent.

- 5) American Indian or Alaska Native employees in FHWA’s permanent workforce decreased from 1.04 percent to 0.87 percent from FY 19 to FY 23. Though American Indian or Alaska Native Male employees decreased from 0.5 percent to 0.49 percent and American Indian or Alaska Native Female employees decreased from 0.5 percent to 0.38 percent.
- 6) Employees who are Two or More Races in FHWA’s permanent workforce increased from 0.71 percent to 0.97 percent from FY 19 to FY 23. Male employees who are Two or More Races increased from 0.19 percent to 0.35 percent and Female employees who are Two or More Races increased from 0.52 percent to 0.63 percent.
- 7) PWD employees in FHWA’s permanent workforce increased from 10.8 percent to 10.84 percent from FY 19 to FY 23.
- 8) PWTD employees in FHWA’s permanent workforce decreased from 3.0 percent to 2.75 percent from FY 19 to FY 23.



Although FHWA continues to be successful in its efforts to diversify its workforce, FHWA also continues to focus on opportunities to improve the representation of Hispanic or Latino employees, Female employees, PWD, and PWTD. In addition, FHWA will analyze trends in its total workforce participation rate, applicant flow data, hiring rate, and separation rates of FHWA employees based upon race, ethnicity, gender, and disability demographics. These areas of improvement have been included in Part H and I of this report.

Workforce Analysis Trends:

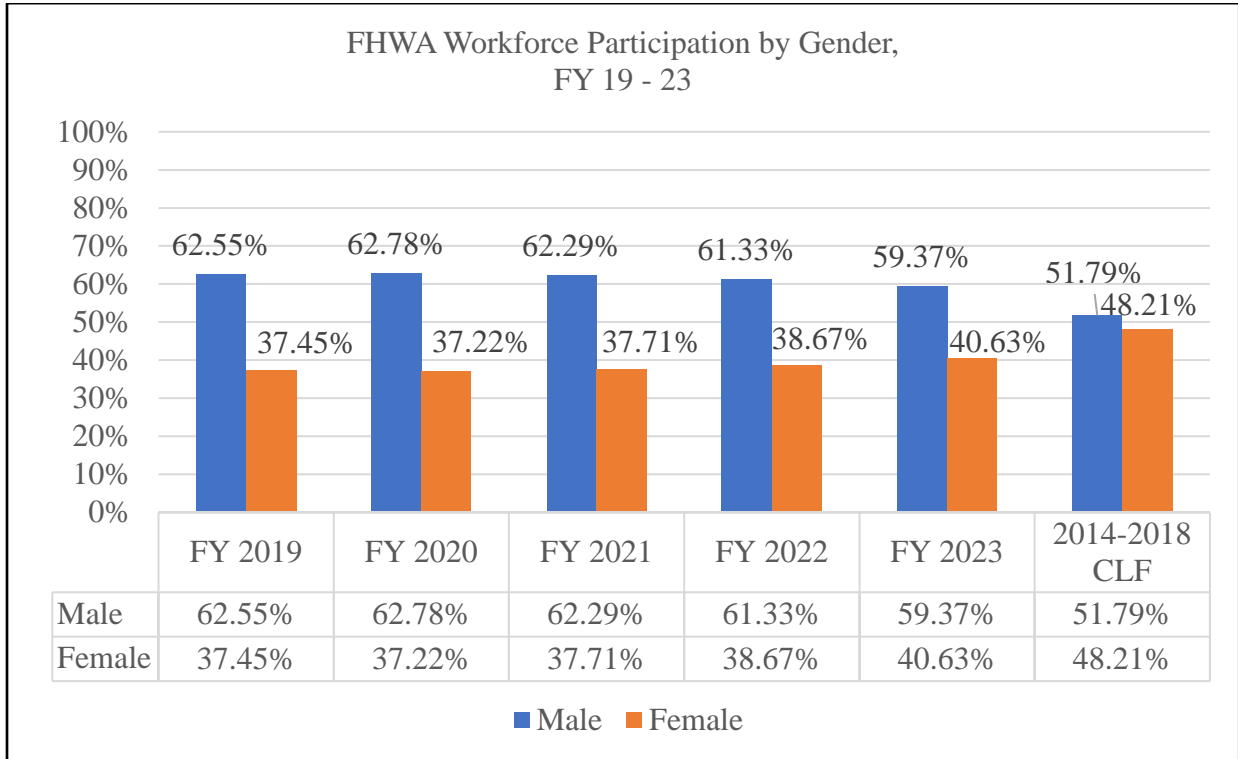
The FHWA Total Workforce Participation, FY 19–23: In reviewing FHWA total workforce data (Table A1/B1) there has been a steady increase in PWD and PWTD.

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	FY 19	FY 20	FY 21	FY 22	FY 23
Total Workforce	2689	2767	2726	2731	2872
PWD	290	300	317	341	365
PWTD	82	76	80	81	85

The FHWA Workforce Participation by Gender, FY 19–23: In reviewing the FHWA total workforce data (Table A1) the participation rate for Female employees has remained below the 2014 – 2018 Civilian Labor Force (CLF) of 48.21 percent since 2019.

Gender	FY 19	FY 20	FY 21	FY 22	FY 23	2014 2018 CLF
Male	62.58% (1679)	62.78% (1737)	62.29% (1698)	61.33% (1675)	59.37% (1705)	51.79%
Female	37.42% (1004)	37.22% (1030)	37.71% (1028)	38.76% (1056)	40.63% (1167)	48.21%



Groups with Participation Rates Higher Than the CLF: After looking at FHWA total workforce (Table A1), groups with participation rates higher than the 2014–2018 CLF were identified. These groups include employees who identified as White Male, Black or African American Male and Female, Asian Male and Female, Native Hawaiian or Pacific Islander Male, American Indian or Alaska Native Male and Female, PWTD, and PWD.

EEOC FORM
U.S. Equal Employment Opportunity Commission

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Race/National Origin, Disability	FY 19	FY 20	FY 21	FY 22	FY 23	2014 2018 CLF
White Male	44.63%	44.24%	42.88%	41.71%	40.29%	35.65%
Black or African American Male	6.28%	6.76%	6.86%	7.07%	6.86%	5.70%
Black or African American Female	8.74%	8.78%	8.80%	9.26%	9.51%	6.61%
Asian Male	5.32%	5.17%	5.39%	5.68%	5.54%	2.19%
Asian Female	2.68%	2.86%	2.97%	2.93%	3.31%	2.18%
Native Hawaiian or Other Pacific Islander Male	0.11%	0.11%	0.11%	0.11%	0.10%	0.08%
American Indian or Alaska Native Female	0.52%	0.51%	0.51%	0.48%	0.49%	0.31%
American Indian or Alaska Native Male	0.52%	0.51%	0.48%	0.48%	0.38%	0.31%
PWTD	3.05%	2.75%	2.93%	2.97%	2.96%	2% (501 Goal)
PWD	10.78%	10.84%	11.63%	12.49%	12.71%	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 CLF were identified. These groups include employees who identified as White Female, Hispanic or Latino Male and Female, Native Hawaiian or Pacific Islander Female, and Two or More Races Male and Female.

Race/National Origin, Disability	FY 19	FY 20	FY 21	FY 22	FY 23	2014 2018 CLF
White Female	21.53%	21.03%	21.42%	21.71%	22.49%	31.82%
Hispanic or Latino Male	5.50%	5.75%	6.16%	5.82%	5.75%	6.82%
Hispanic or Latino Female	3.42%	3.54%	3.37%	3.66%	4.28%	6.16%
Native Hawaiian or Pacific Islander Female	0.04%	0.00%	0.04%	0.04%	0.03%	0.08%
Two or More Races Male	0.19%	0.25%	0.40%	0.48%	0.35%	1.05%
Two or More Races Female	0.52%	0.51%	0.59%	0.59%	0.63%	1.05%

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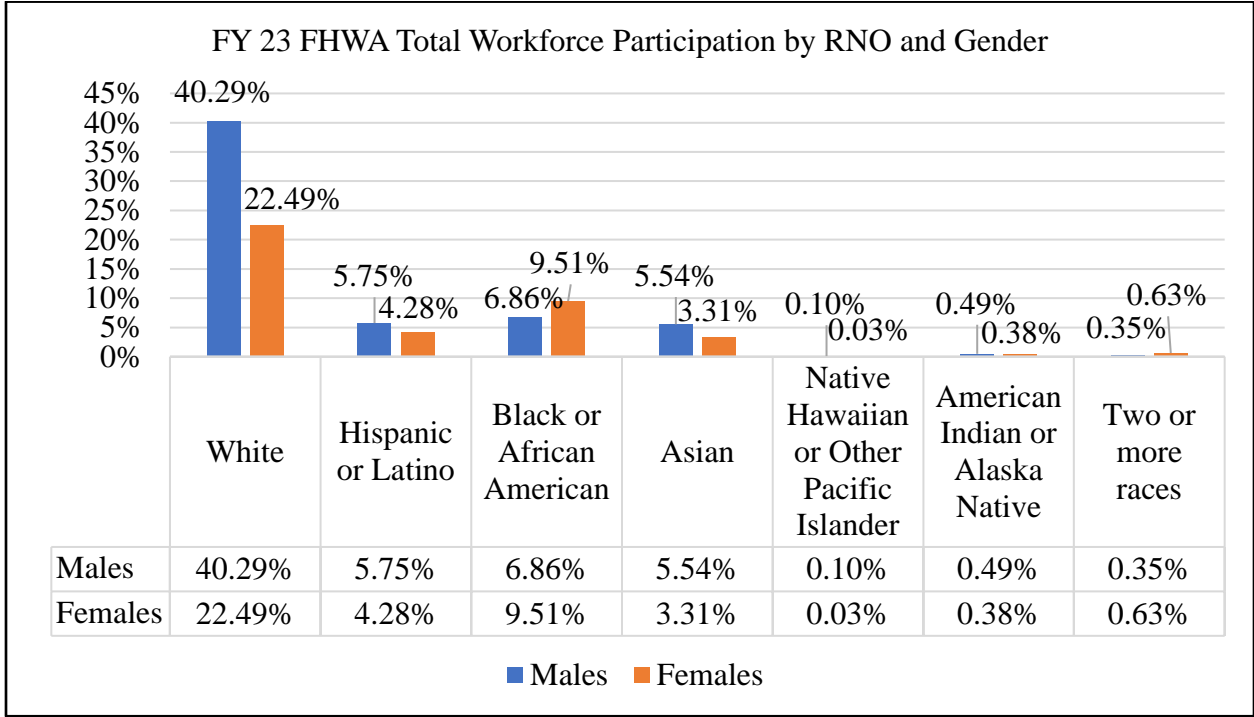
Grade Schedule Distribution by Disability (Participation Rate): Upon reviewing Table B4P to assess FHWA's participation rate against EEOC's goals of 2 percent for PWD and 12 percent for PWTD in the GS-1 to 10 and GS-11 to SES levels, it was determined that FHWA's participation rate exceeded both goals in these grade groups.

Grade Level	PWD (12%)	PWTD (2%)
GS-1 to 10	18.14%	7.44%
GS-11 to SES	12.22%	2.54%

FY 23 FHWA Total Workforce Participation by Sex and Race/National Origin (RNO) (Table A1): In reviewing the FY 23 FHWA workforce participation rate, White Males and Females have the highest participation rates, with Males participating at nearly double the rate of Females. The Hispanic or Latino Male participation rate is higher than Hispanic or Latino Female, but the gap is significantly smaller compared to the White category. Black or African American Females and Two or More Races Females are the only groups whose participation rates were higher than those for Black or African American Males and Two or More Races Males. Apart from these two groups, there was a notable gender disparity in workforce participation within the other RNO groups, particularly within the White category.

FY 23 FHWA Total Workforce Participation by RNO and Gender							
Gender	White	Hispanic or Latino	Black or African American	Asian	American Indian or Alaska Native	Two or More Races	Native Hawaiian or Other Pacific Islander
Male	40.29%	5.75%	6.86%	5.54%	0.10%	0.49%	0.35%
Female	22.49%	4.28%	9.51%	3.31%	0.03%	0.38%	0.63%

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FY 23 FHWA Total Workforce (Table A1): New Hires breakdown based on RNO and gender.

FY 23 FHWA New Hires by RNO and Gender								
RNO	All Hires		Women			Men		
	#	%	#	% of Women Hires	% of RNO Group Hires	#	% of Men Hires	% of RNO Group Hires
White	260	58.56%	126	54.31%	48.46%	134	63.21%	51.54%
Hispanic or Latino	45	10.14%	27	11.64%	60%	18	8.49%	40%
Black or African American	76	17.12%	47	20.26%	61.84%	29	13.68%	38.16%
Asian	48	10.81%	23	9.91%	47.92%	25	11.79%	52.08%
Native Hawaiian or Other Pacific Islander	0	0%	0	0%	0%	0	0%	0%

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FY 23 FHWA New Hires by RNO and Gender								
RNO	All Hires		Women			Men		
	#	%	#	% of Women Hires	% of RNO Group Hires	#	% of Men Hires	% of RNO Group Hires
American Indian or Alaska Native	5	1.13%	1	0.43%	20%	4	1.89%	80%
Two or More Races	10	2.25%	8	3.45%	80%	2	0.94%	20%
Total	444		232		52.25%	212		47.75%

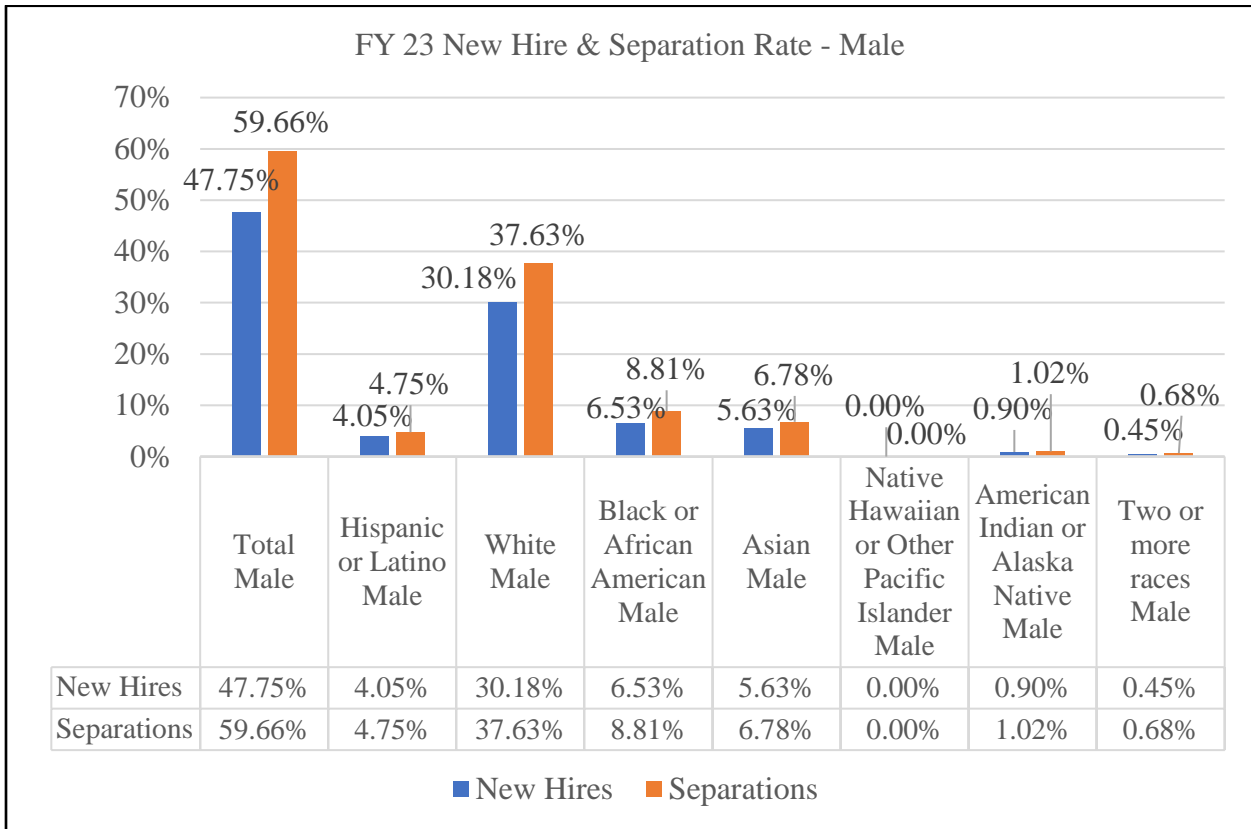
FY 23 FHWA Total Workforce (Table A1): Separation breakdown based on RNO and Gender.

FY 23 FHWA Separations by RNO and Gender								
RNO	All Separations		Women			Men		
	#	%	#	% of Women Separation	% of RNO Group Separation	#	% of Men Separation	% of RNO Group Separation
White	184	62.37%	73	61.34%	39.67%	111	63.07%	60.33%
Hispanic or Latino	24	8.14%	10	8.40%	41.67%	14	7.95%	58.33%
Black or African American	50	16.95%	24	20.17%	48%	26	14.77%	52%
Asian	27	9.15%	7	5.88%	25.93%	20	11.36%	74.07%
Native Hawaiian or Other Pacific Islander	0	0%	0	0%	0%	0	0%	0%
American Indian or Alaska Native	5	1.69%	2	1.68%	40%	3	1.70%	60%
Two or More Races	5	1.69%	3	2.52%	60%	2	1.14%	40%

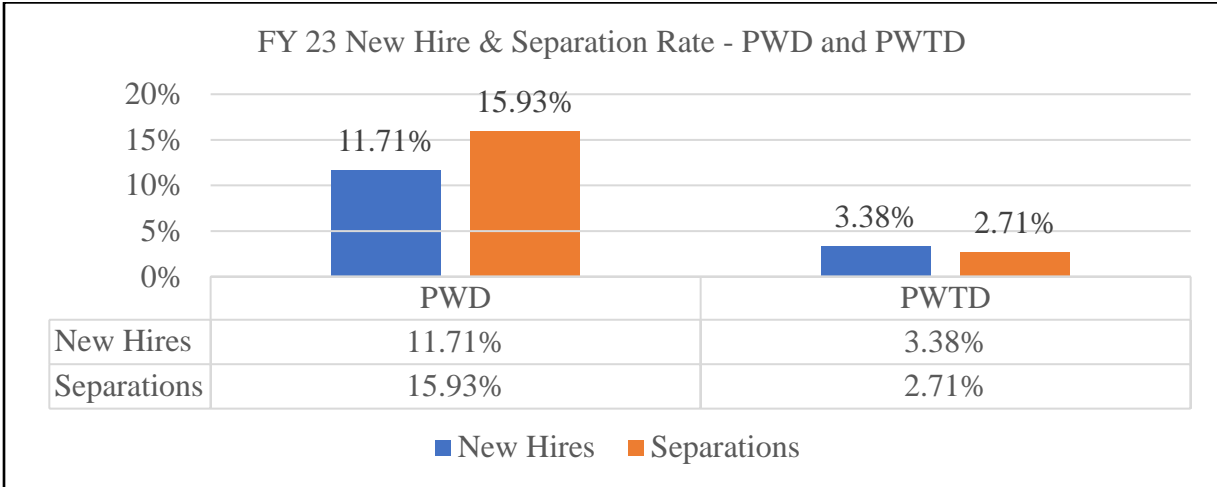
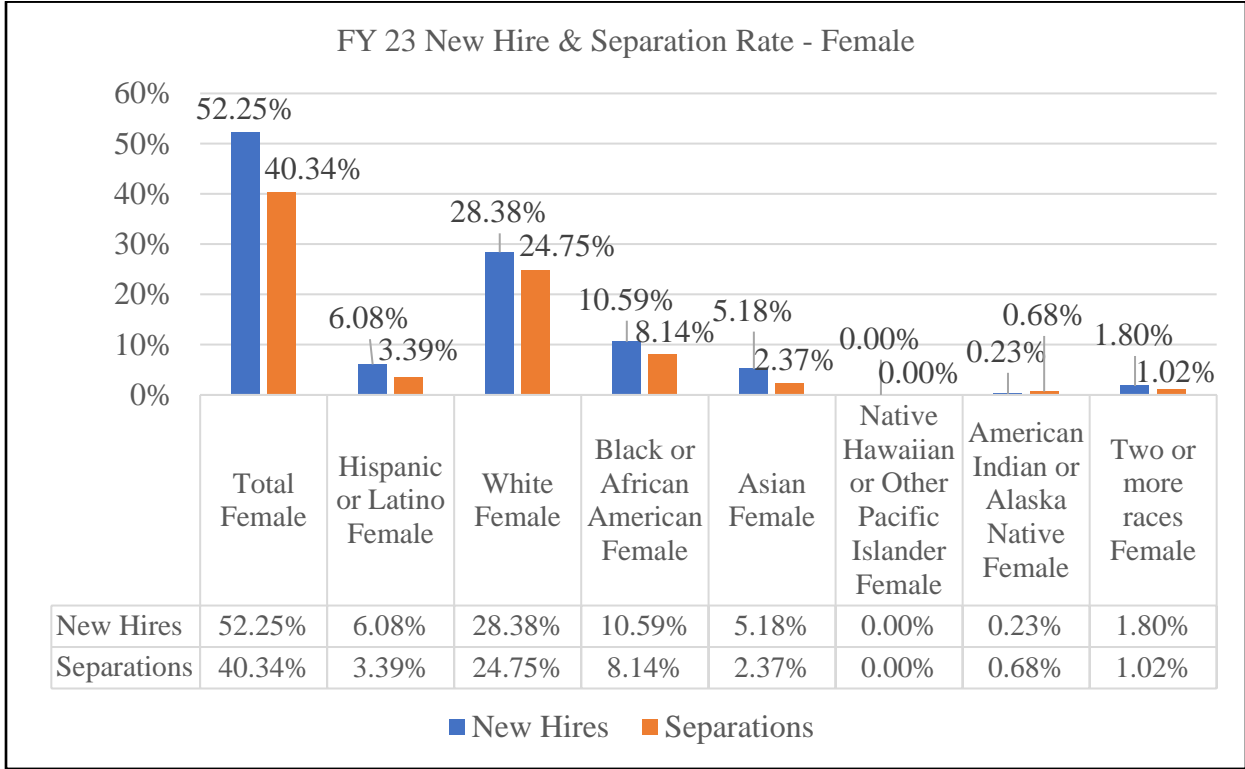
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FY 23 FHWA Separations by RNO and Gender								
RNO	All Separations		Women			Men		
	#	%	#	% of Women Separation	% of RNO Group Separation	#	% of Men Separation	% of RNO Group Separation
Total	295		119		40.34%	176		59.66%

FY 23 FHWA Total Workforce (Table A1): In reviewing the new hire rates in comparison to separation rates, FHWA identified Total Male, Hispanic or Latino Male, White Male, Black or African American Male, Asian Male, American Indian or Alaska Native Male and Female, Two or More Races Male, and PWD are the groups with separation rates that outpaced the hiring rates.

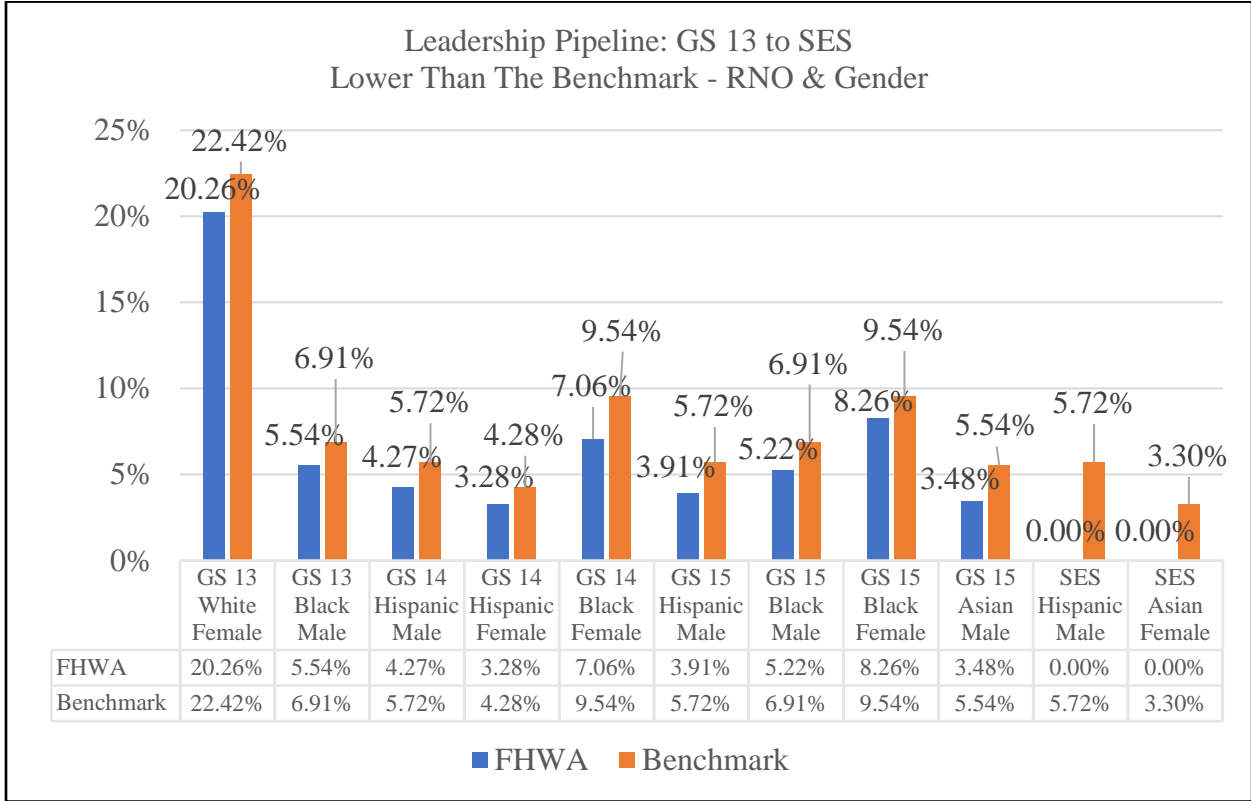


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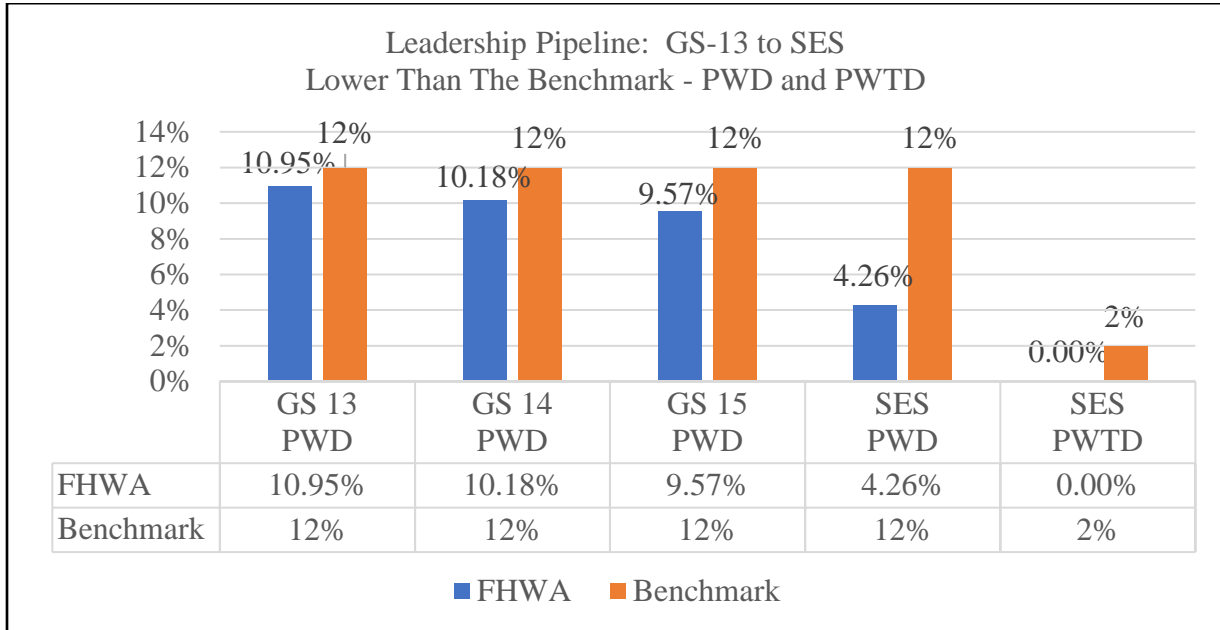


Barrier Analysis Tables (FHWA Leadership Pipeline Analysis: GS-13 to SES): In reviewing Table A4P for the RNO and gender groups in the GS-13 to SES level positions, RNO and gender groups that had rates that were lower than the permanent workforce were White Female (GS-13), Black or African American Male (GS-13, GS-15), Black or African American Female (GS-14, GS-15), Hispanic or Latino Female (GS-14), Black Male (GS-13, GS-15), Hispanic or Latino Male (GS-14, GS-15, SES), Asian Female (SES), and Asian Male (GS-15).

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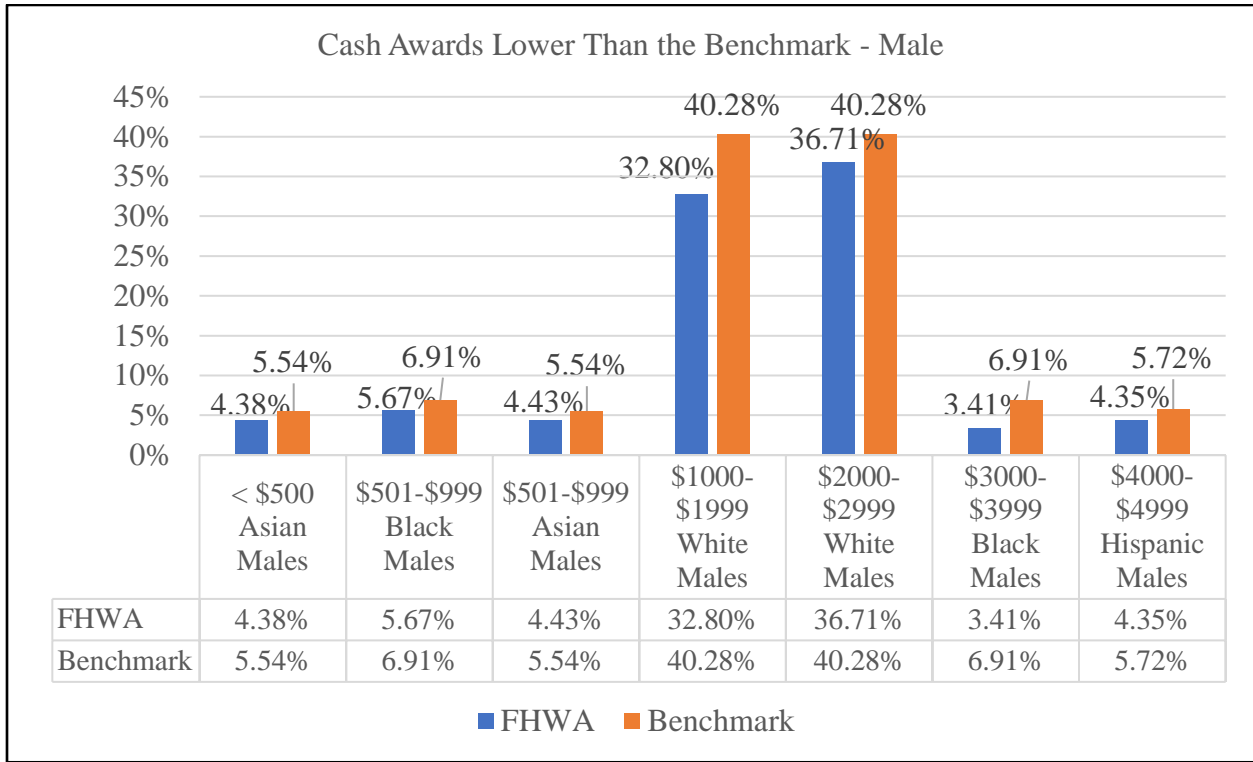


Barrier Analysis Tables (FHWA Leadership Pipeline Analysis: GS-13 to SES): Upon reviewing the FY 23 FHWA workforce data for PWD and PWTD in the GS-13 to SES level positions (Table B4P), the participation rate for PWD in the GS-13, 14, 15, and SES level was lower than the Section 501 Goal of 12 percent, while the participation rate for PWTD at the SES was lower than the Section 501 Goal of 2 percent.

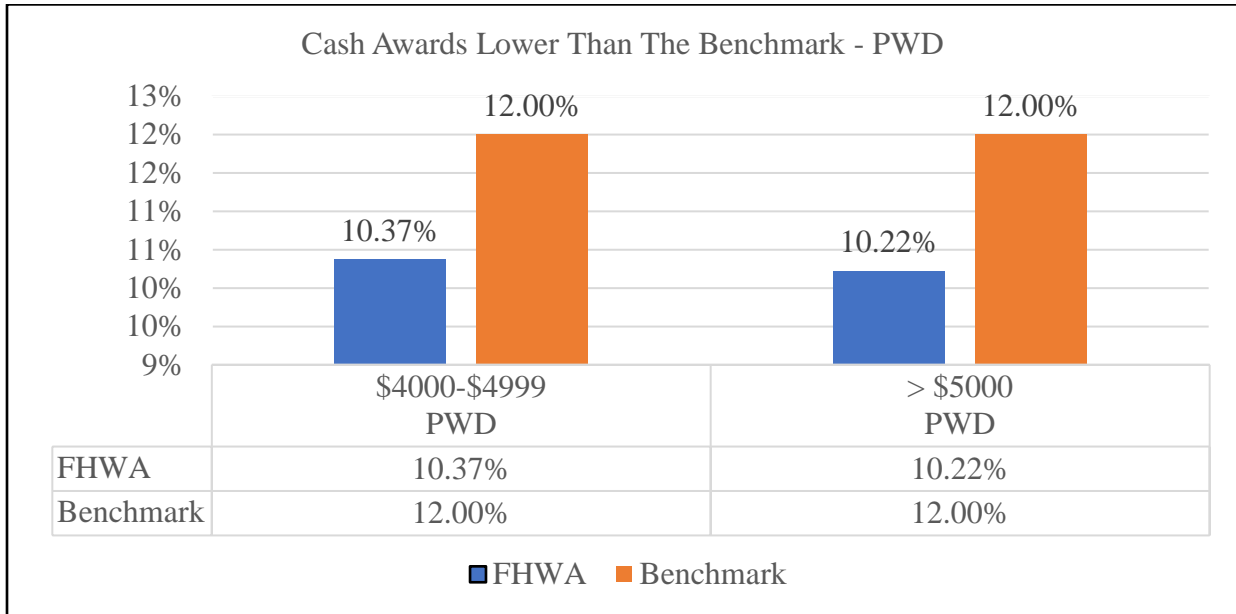
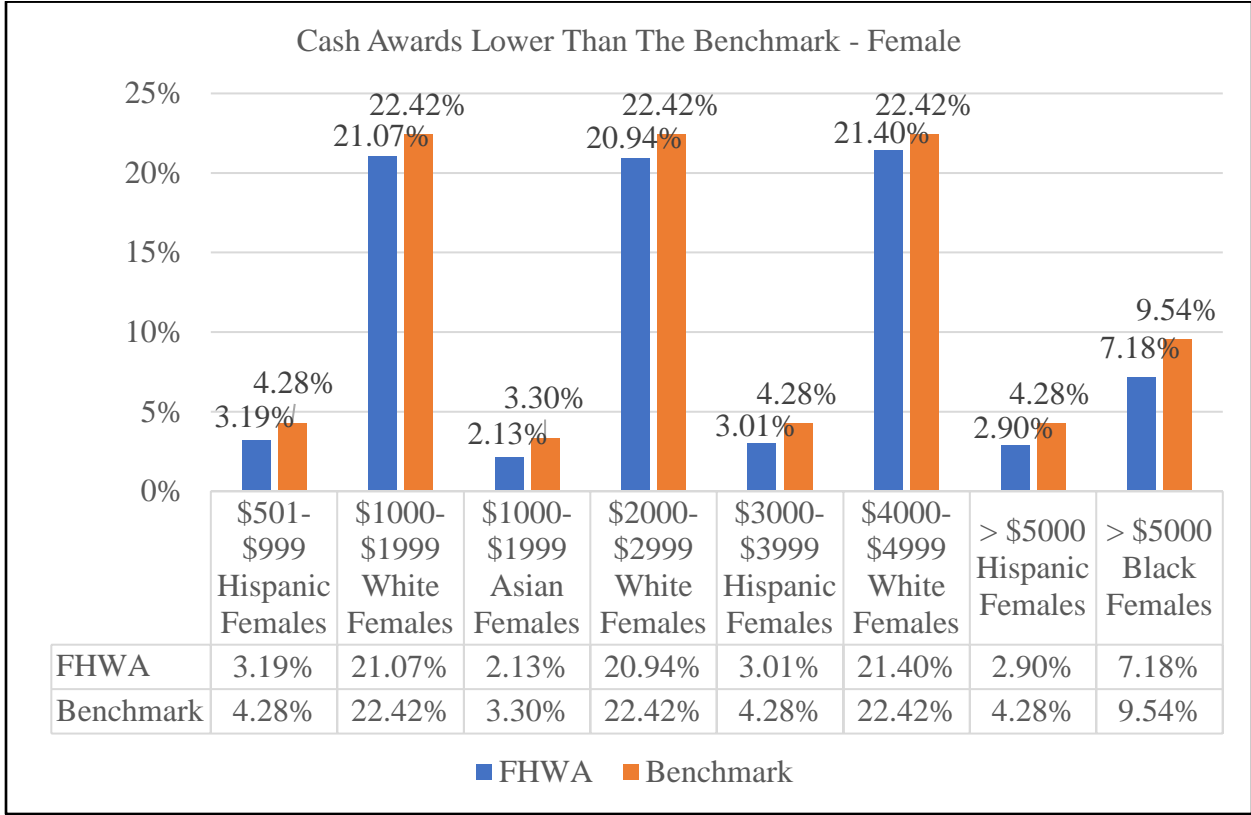


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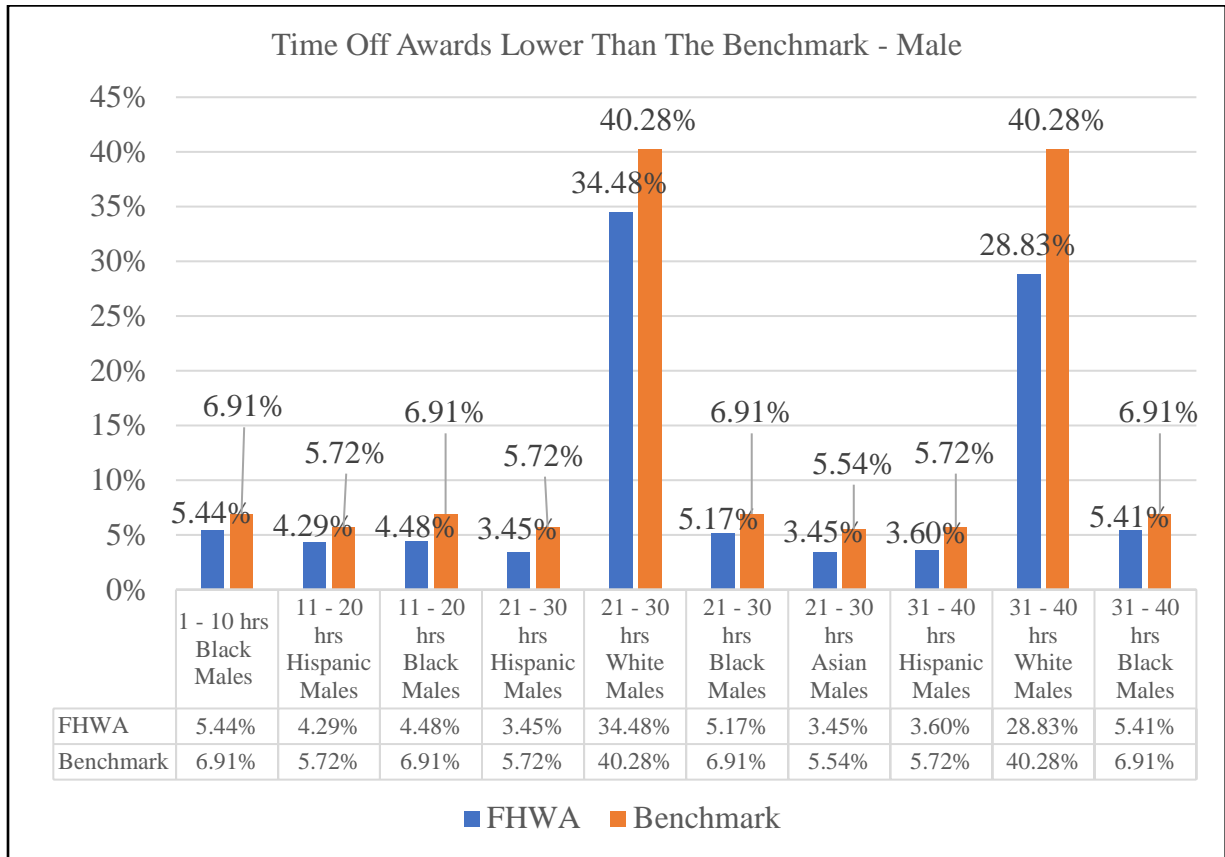
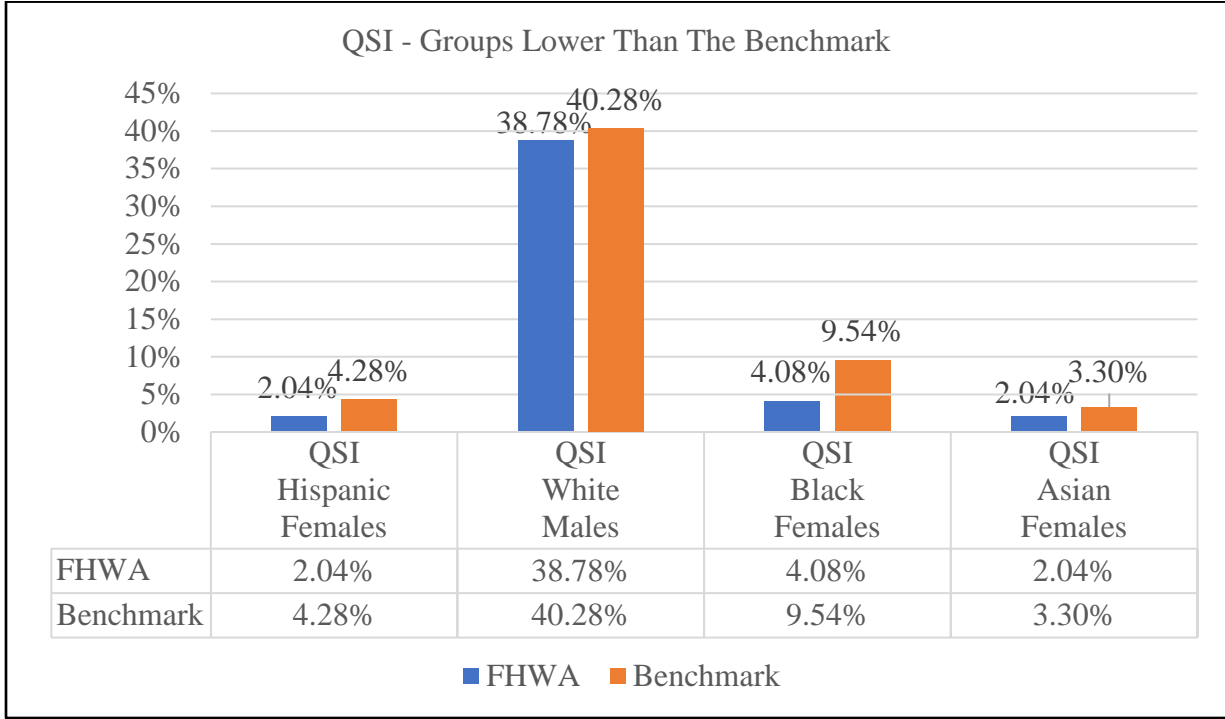
Barrier Analysis Tables (Employee Recognition and Awards): Upon reviewing the FY 23 FHWA workforce data for Employee Recognition and Awards (Table A9/B9-1), the graphs below demonstrate instances where Cash Awards, Quality Steps Increases (QSI), and Time Off Awards for RNO groups were lower than the permanent workforce benchmark, and where PWD and PWTD were lower than the Section 501 Goal of 12 percent for PWD and 2 percent for PWTD.



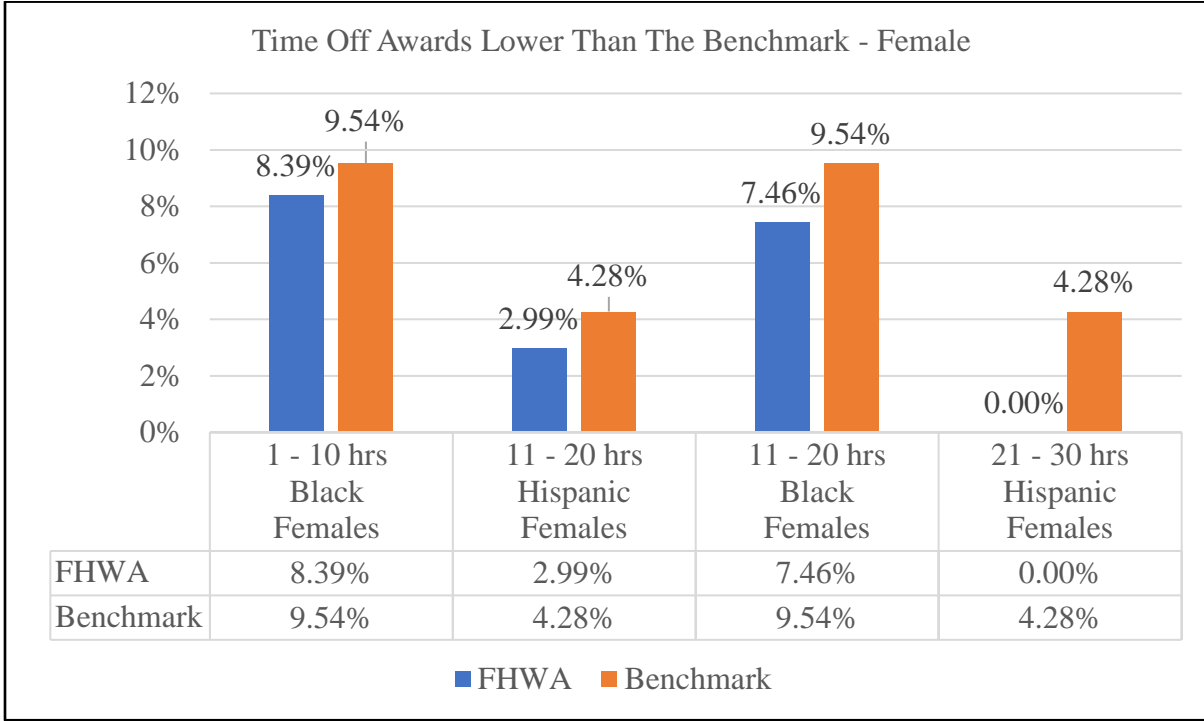
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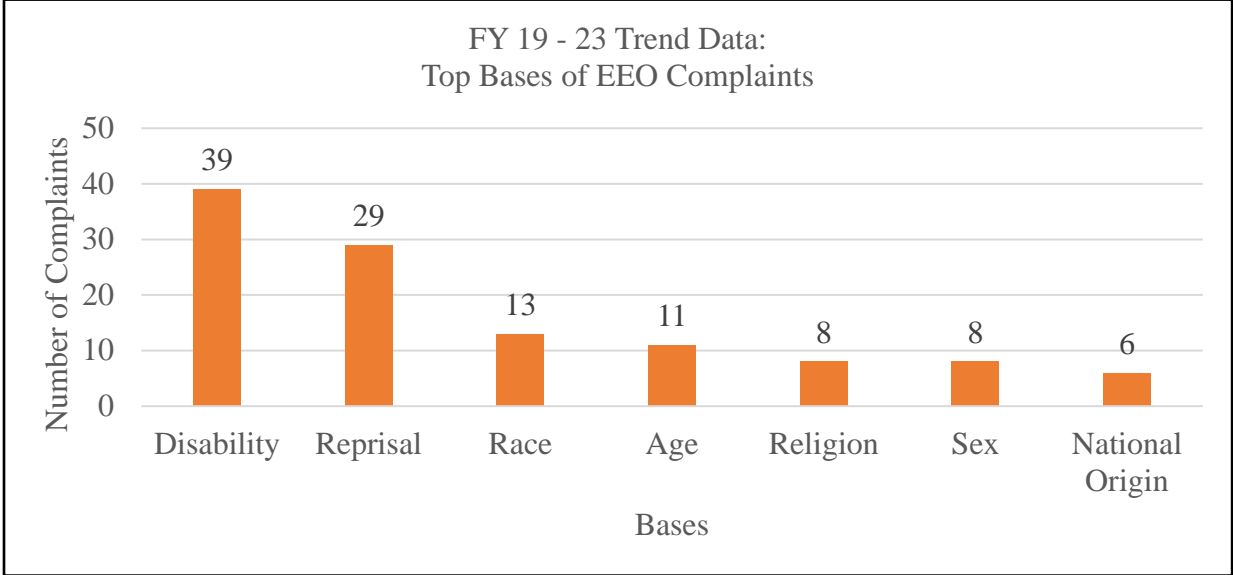
FHWA EEO Complaints Trends:

Over the past 5 years, from FY 19 to FY 23, 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 23 (11 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 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 were resolved at the pre-complaint stage or did not progress to the formal complaint stage due to other factors.

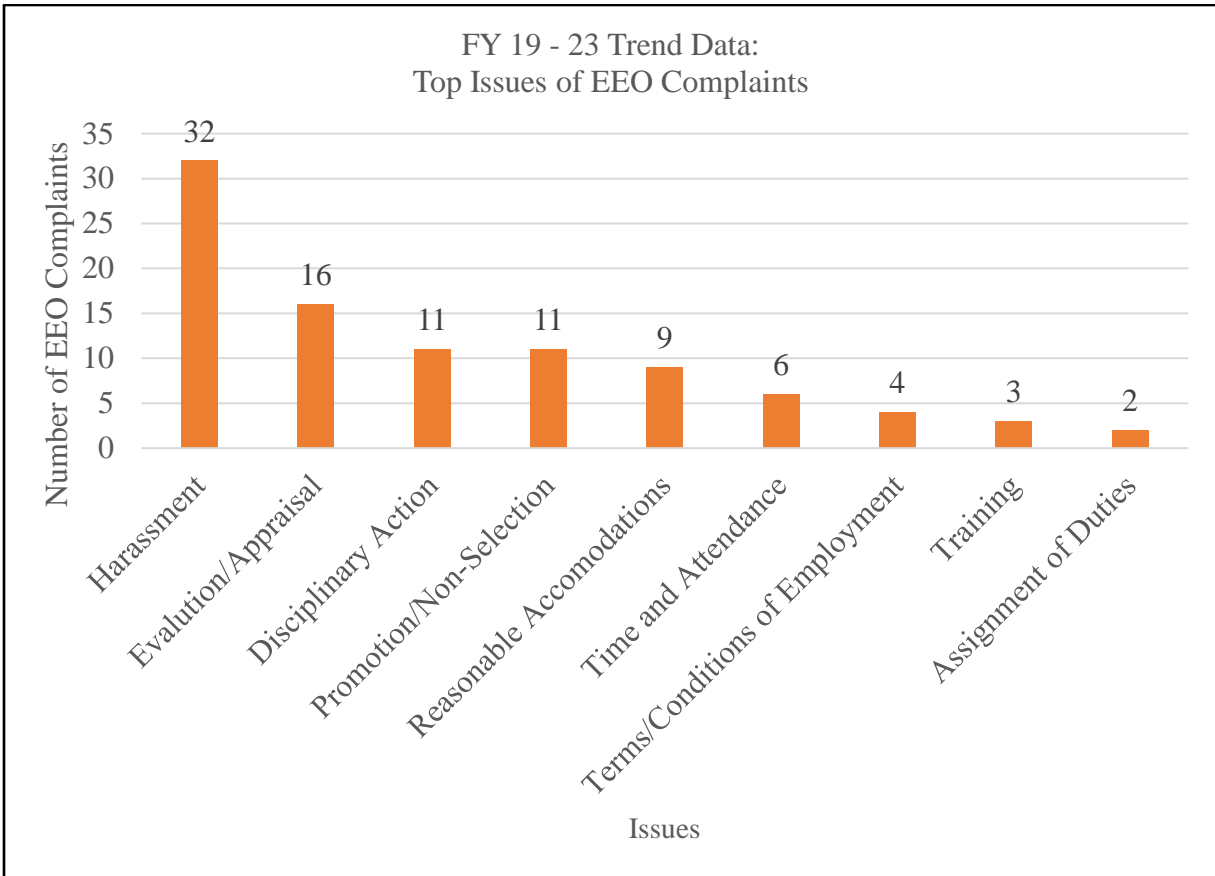
<u>FY</u>	<u>Informal</u>	<u>Formal</u>
2019	12	8
2020	15	14
2021	11	8
2022	6	4
2023	11	9

Most Frequent Complaint Bases Filed:

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Most Frequent Complaint Issues (Employment Actions) Filed:



**Anti-Harassment Trends:
Anti-Harassment cases identified from FY 18 to FY 23.**

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FY	Number of Anti-Harassment Cases
2018	2
2019	3
2020	10
2021	12
2022	7
2023	33

Reasonable Accommodation Trends:
Reasonable Accommodation cases identified from FY 21 to FY 23.

FY	Number of Reasonable Accommodation Cases
2021	13
2022	58
2023	62

Part E.4 - Executive Summary: Accomplishments

The FHWA makes EEO principles a fundamental part of its culture. Below is a summary of the FHWA’s FY 23 accomplishments under the six essential elements 1) demonstrated commitment to EEO, 2) integration of EEO into the 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 23, FHWA participated in 199 recruitment events (virtual and in-person). Forty-six events were at identified Minority Serving Institutions (MSI). Events targeted the following groups: Women, PWD, veterans/military, and diverse groups.
- Departmentwide exit surveys are being performed by the OST and tracked. The FHWA began receiving the data information from these exit surveys in FY 22 after a 3-year gap.
- In FY 23, the FHWA Office of Civil Rights had seven ancillary duty staff serving as Fact Finders within the Anti-Harassment Process. All new and experienced Anti-Harassment Fact Finders attended an Anti-Harassment Investigation Training provided by EEOC. Participants were taught basics regarding EEO law and allowed to develop essential investigative techniques. The Anti-Harassment Coordinator attended the EEOC Anti-Harassment Program Management Training. The training reviewed the Anti-Harassment policies and programs, the law, and case studies and gained a better understanding of written policies and procedures for addressing harassment in the workplace. The FHWA hosted an Anti-Harassment and Hostile Work Environment training for managers and supervisors. The training covered the purpose of the Anti-Harassment coordination process, employee and manager responsibility, when a manager becomes a respondent, and what is a hostile work environment.
- On June 21, 2023, FHWA finalized and distributed the Reasonable Accommodations Procedures to comply with the 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 FHWA supervisors, Disability Program Managers, and established the Designated Disability Advisory Team

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for complex cases.

- The FHWA employees are educated and encouraged to participate in one or more of the DOT ERGs.
- The 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 23, FHWA conducted outreach to four HBCUs to garner their interest in the program. Full implementation and delivery of a 2-day session is expected in Fall 2024.
- Within the FHWA ERGs, employees have the opportunity to take on leadership roles. The following are activities were performed by the ERGs:

African American Leaders in Transportation (AALT)

- Partnered with the FHWA Office of Civil Rights to host Black History Month Program, “Finding your voice through adversity.”
- Partnered with FHWA Human Resources to host a HBCU recruitment Webinar for students and recent graduates.
- Held Webinars for the AALT membership on the following:
 - Leadership within the FHWA and among emerging leaders
 - Cultivating a diverse workforce
 - FHWA Succession Planning
 - Dispelling Myths for a more equitable workplace
 - Understanding the DA/ADA Registry
- The AALT grew its membership to close to 250 members.
- The AALT officially became a recognized ERG by DOT.
- The AALT updated charter and bylaws and submitted to OST.
- The AALT participated in a range of recruitment events to support FHWA Human Resources:
 - Atlanta University Center Consortium Federal Government Career Fair in Atlanta
 - One DOT Transportation Summit in South Carolina
 - Career Fair during the White House HBCU Week
 - FHWA Virtual Career Fair
 - University of District of Columbia Annual Spring Career Fair
 - Morgan State Career Fair
 - Howard University Career Fair
 - Alabama A&M
 - STIPDG ERG Presentation
- The AALT participated in events to support OST Recruitment:
 - Dillard University
 - Mentorship in STEM panel
 - HBCU graduates at the DOT panel.
 - Bowie State University Recruitment Event
- The AALT’s Professional and Mentoring Development Team paired Mentors and Mentees.
- The AALT conducted mock interviews and resume reviews for membership.
- The AALT participated in:

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- HBCU ERG meetings.
- Gender Equity Advisory Team.
- DOT ERG meetings.
- The AALT participated in the FHWA Office of Civil Rights Barrier Analysis presentation and provided accomplishments for the FY 23 MD-715 Report.

Hispanic Engagement Initiative (HEI)

- **Professional Development Committee** –The objectives identified for this subcommittee include:
 - Increasing the number of qualified Hispanics in FHWA in preparation for leadership and promotion opportunities this working group was developed to focus on professional development.
 - Providing a platform to assist Hispanics in existing positions to their reach fullest potential.
 - Developing a mentoring program that can readily help employees move to the next step in their careers (such as: Resume review, mock interviews, speaking in large groups, etc.).
 - With the efforts of HEI’s working group and members, the group accomplished the following in FY 23:
 - Assisted employees reviewing resumes, helped employees with mock interviews, and recommended training opportunities to other employees.
 - Held a FHWA-wide Webinar on “Do and Don’ts of Interviews” in January 2023 with strong participation by employees.
 - Assisted in recruitment efforts for new employees.
 - Partnered with DMC and the Women in Leadership group to promote HEI activities and assist with Hispanic recruitment.
 - Coordinated with HQ recruitment to participate in recruitment efforts, including virtual career fairs, and university presentations.
- Helped increase awareness of job opportunities by sharing job announcements with members through Microsoft (MS) Teams as well as DOT’s Hispanics in Transportation.
- The HEI members participated in an OST Hispanic Heritage Month event in October as a panel member. The event was attended by Secretary Buttigieg.
- Helped several FHWA Divisions during their hiring process to ensure Hispanic representation on interview panels.
- Developed an HEI brochure and an HEI branding.
- The HEI’s mentoring committee surveyed members on interest in serving as a Mentor, in wanting to be a Mentee, or both. The survey responses have been received and HEI is in the process of connecting Mentors and Mentees.
- Updated the FHWA HEI email distribution list based on the HEI TEAMS Channel requests.
- Hosted one networking event on June 28, 2023 – Hispanic Representation within the FHWA Workforce Webinar presented by the FHWA Office of Civil Rights.
- Supported STIPDG Program by reaching out to HEI members and participating in informational interviews about MSI alumni and their journey to working in the

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FHWA.

- Supported a panel discussion focused on Black, Indigenous, and People of Color and how they manage their mental health while staying active.
- Delivered HEI presentations during the following:
 - The ERG/Affinity Groups session during the Celebrate Diversity Month- March 22, 2023
 - The ERG Session during the EEO 2023 Symposium – May 11, 2023
 - The EER Group Session for the 2023 STIPDG interns – June 22, 2023
 - The DMC newsletter – HEI ERG – September 5, 2023
 - The DMC Our Heritage Forum – September 28, 2023
- Collectively, these were all opportunities the HEI created to engage with and mentor others, to develop trust, and motivate staff in this greatly expanded Hispanic network. With the establishment of this network, the HEI created an environment for a spirited group of people to identify mentors, interact with FHWA 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

- The FHWA’s FY 22–26 Strategic Plan incorporates Annual Performance Plan measures and the DOT’s 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. In addition, FHWA will advance initiatives outlined within the FHWA Office of Civil Rights Strategic Plan (FY 23–26), which include: increasing opportunities for HBCUs and MSIs entering into the workforce, affording the same opportunities and benefits of employment to PWD and PWTD, improving the process for individuals requesting reasonable accommodations, and increasing employee engagement, opportunities, and educational awareness of rights under the FHWA’s Reasonable Accommodation, Anti-Harassment, and EEO program.
- The 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.
- The FHWA’s goal is to have a Diversity Champion for each work unit, who participates 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. The Chief DEI Officer continues to work 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.
- The FHWA will utilize workforce analysis on participation rates for permanent

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workforce (i.e., senior grade level, compensation and awards, management positions) to perform focus group discussions with FHWA ERGs, FHWA leadership, and other key staff.

- The FHWA Office of Civil Rights began developing an “Internal Equity Workforce Plan” to enhance support and opportunities for HBCUs, MSIs, PWD, and PWTB. This equity plan aims to forge and fortify partnerships with PWD and PWTB communities as well as HBCUs and MSIs, heightening awareness of employment and support prospects within FHWA. The objective is to foster a diverse and inclusive FHWA, wherein individuals from various backgrounds occupy diverse roles across the FHWA workforce, including leadership positions, thereby establishing a genuinely representative and equitable organization. The FHWA Office of Civil Rights has been collaborating with the FHWA Office of Administration, the FHWA Office of Acquisition and Grants Management, the FHWA HBCU and MSI Working Group, and FHWA leadership in formulating this Internal Equity Workforce Plan.

Recruitment, Hiring, & Outreach Efforts

- The FHWA plans to continue to support targeted outreach and recruitment to increase the number of women, with particular focus on Hispanic women and PWTB at all grade levels. This will be accomplished through participation at career fairs, outreach events and distributing targeted email campaigns and social media platforms. In addition, 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.
- The FHWA will continue to create an inclusive organizational environment by performing outreach and remaining in close contact with our recruitment partners from various 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.
- The 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.
- The 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

- The FHWA will host the fourth annual EEO Awareness Symposium on June 4 – 6, 2024. The purpose of the symposium is to educate FHWA management and staff on EEO, Diversity, Conflict Resolution, Prevention of Harassment, and Effective Communication.
- The 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.
- In partnership with the DOT Disability Resource Center, FHWA will offer education and training about the Center and how its services benefit the FHWA workforce.
- The FHWA will continue to collaborate with OST and an interagency workgroup made

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up of FHWA Selective Placement Coordinators to examine the practices of utilizing Schedule A for recruiting, hiring promoting and advancing individuals with disabilities. The group meets bimonthly.

- The FHWA Office of Administration will make its Unconscious Bias training available to all staff. There will be nine 1-hour sessions, facilitated live and virtually, to provide staff with an introductory overview of Unconscious Bias. This includes identifying bias, learning the impacts of bias on performance, and discovering techniques for cultivation connection.
- The FHWA Office of Civil Rights will continue to utilize the SharePoint training map to record training sites visited to train all managers and supervisors in the areas of EEO, ADR, Prevention of Harassment Training, and Reasonable Accommodations.
- The FHWA Office of Human Resources will be conducting three sessions of bootcamp in FY 23.

Policy & Procedure Updates

- The FHWA will conduct listening sessions on the Anti-Harassment procedures to identify areas of improvement and to update the procedures.
- The FHWA will perform expanded in-person training in the areas of Anti-Harassment and Reasonable Accommodations to managers and supervisors. The FHWA Office of Civil Rights will conduct training to Headquarters and field leadership at various sessions throughout the year. These sessions are geared to provide training on topics based upon trends identified.

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 December 18, 2023.
A.1.b	Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	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	

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Measures	Compliance Indicator A.2 - The agency has communicated EEO policies and procedures to all employees.	Measure Met? (Yes/No/NA)	Comments
A.2.a.2	Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]	Yes	The FHWA developed its Reasonable Accommodation Procedures and brochure to comply with the DOT Order 1101.1B.
A.2.b	Does the agency prominently post the following information throughout the workplace and on its public Website:		
A.2.b.1	The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 CFR § 1614.102(b)(7)]	Yes	Information is located on the EEO page on the FHWA Office of Civil Rights Website: https://www.fhwa.dot.gov/civilrights/programs/eoo/
A.2.b.2	Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR § 1614.102(b)(5)]	Yes	
A.2.b.3	Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	Yes	Disability Program: Useful Links - Civil Rights Federal Highway Administration (dot.gov): https://www.fhwa.dot.gov/civilrights/programs/disability/resources.cfm The FHWA Reasonable Accommodation Procedures were distributed to the FHWA via email.
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	The FHWA is informed on the EEO complaint process Annually during the EEO on-site visits and the EEO Awareness Symposium.

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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.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
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 FHWA's Employee Handbook is discussed during Employee Onboarding and is available on FHWA's internal site via StaffNet. 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.

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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	The annual Administrator’s Program has an award category titled “Diversity and Inclusion Award,” recognizing 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. The Annual Secretary’s Award Program features an award category titled “Diversity, Equity, and Inclusion” recognizing the value management places on DOT’s commitment and successful results achieved in the areas of EEO and Affirmative Action.
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 2 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.

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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 FHWA’s Executive Director who is the FHWA’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 FHWA.
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 the FHWA Office of Civil Rights participates in bi-weekly Leadership Meetings that provide briefings to the head of FHWA. In addition, the Associate Administrator of Civil Rights provides regular briefings to the head of FHWA on all areas of Civil Rights.

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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. I)] If “yes”, please provide the date of the briefing in the comment’s column.	Yes	Briefing to the Administrator held on May 4, 2023.
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 the FHWA Office of 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)] If not, identify the office with this authority in the comments column.	Yes	
B.2.b	Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	Yes	

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Measures	Compliance Indicator B.2 – The EEO Director controls all aspects of the EEO program.	Measure Met? (Yes/No/NA)	Comments
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.
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,	Yes	The EEO Director participates in the strategic planning meetings and

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	including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]		makes sure there is FHWA Office of Civil Rights representation and gets briefings. The EEO Director also participates the Strategic Workforce Council, the FHWA Office of Administration meetings, Leadership meetings, etc.
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 22–26 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 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	

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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.2	to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	Yes	
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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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.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]	No	Due to an increase in the number of cases and a decrease in the number of fact finders, FHWA has identified the need to increase the budget and staffing. FHWA has recruited more fact finders and obtained additional funding for this fiscal year. We anticipate meeting the measure once additional staffing is provided in FY 24.
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	

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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	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	
B.5.a.2	Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]	Yes	Managers and supervisors were distributed the FHWA Reasonable Accommodation procedures on June 21, 2023. They continue to be made aware of the accommodation process through annual site visits, as well as through virtual training such as the Reasonable Accommodation Rollout Procedures training(s).
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	

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Measures	Compliance Indicator B.6 – The agency involves managers in the implementation of its EEO program.	Measure Met? (Yes/No/NA)	Comments
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	
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 C.1 – The agency conducts regular internal audits of its component and field offices.	Measure Met? (Yes/No/NA)	Comments
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	Annually.
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 FHWA'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	

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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	
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 <u>Complainant v. Dep’t of Veterans Affairs</u> , EEOC Appeal No. 0120123232 (May 21, 2015); <u>Complainant v. Dep’t of Defense (Defense Commissary Agency)</u> , EEOC Appeal No. 0120130331 (May 29, 2015)]	Yes	

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Measures	Compliance Indicator C.2 – The agency has established procedures to prevent all forms of EEO discrimination.	Measure Met? (Yes/No/NA)	Comments
	If “no”, please provide the percentage of timely-processed inquiries in the comments column.		
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 published its Reasonable Accommodations Procedures in June 2023. The FHWA continues to follow DOT Order 1101.1B, which is the Departmental policy that 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	The FHWA has two full-time disability program managers who are responsible to coordinate and assist with processing reasonable or disability accommodations throughout the FHWA.
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 FHWA Office of Human Resources associated with the vacancy for the application process.
C.2.b.4	Do the reasonable accommodation procedures clearly state that the agency should process the request within a	Yes	The FHWA Reasonable Accommodation procedures provide

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	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)]		for processing of a reasonable accommodation request within 25-business days of receipt, absent extenuating circumstances.
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. Fifty-two percent of accommodations within the Reasonable Accommodation Management System in FY 23 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 published its Reasonable Accommodations Procedures in June 2023. The FHWA procedures comply with DOT Order 1101.1B.
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	

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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, the FHWA Office of Civil Rights, the FHWA Office of Chief Counsel, and the FHWA Employee Relations, holding the employee accountable through the performance or misconduct system as appropriate. In FY 22, FHWA made efforts to formalize oversight of this effort through the development of a related Critical Job Element 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	

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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.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	
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	

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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	

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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 <u>Douglas v. Veterans Administration</u> , 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	Zero.
C.5.c	If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the Agency inform managers and supervisors about the discriminatory conduct (e.g., postmortem to discuss lessons learned)? [see MD-715, II(C)]	Yes	

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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 information is briefed annually within FHWA and is made available on the FHWA Website. In addition, FHWA organizes monthly Special Emphasis Program events. The FHWA ERGs receive annual updates of workforce demographic information tailored to their specific requests.
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	

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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 administers a DOT-wide exit survey. 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	The FHWA Executive Director currently takes the into consideration the office composition and diversity of the organization when realignment/reorganization efforts are proposed, though no formal analysis is completed. Going forward, FHWA will formally establish a process by which to document these considerations.

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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 data, employee climate surveys, focus groups, affinity groups, Anti-Harassment program, special emphasis programs, and the reasonable accommodation program. Note: FHWA does not have unions.

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)] If yes, please provide the internet address in the comments.	Yes	www.fhwa.dot.gov/civilrights/

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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 persons with disabilities 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 acknowledgement letters. Acknowledgement letters are handled by the Departmental Office of Civil Rights.

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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 acceptance letters/dismissal decisions. Acceptance letters/dismissal decisions 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 Final Agency Decisions. Final Agency Decisions are handled by the Departmental Office of Civil Rights.

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Measures	Compliance Indicator E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.	Measure Met? (Yes/No/NA)	Comments
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 issuing final actions following receipt of the hearing file. Issuing final actions are handled by the Departmental Office of Civil Rights.
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 does not use contractors to implement any stage of the EEO complaint process. FHWA is a sub-reporting unit and is not responsible for some functions that are handled by the Departmental Office of Civil Rights, and use of contractors (for instance, investigations).
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)]	N/A	The FHWA is a sub-reporting unit and is not responsible for submission of complaint files and other documents to EEOC. This function is handled at the Departmental level.

Measures	Compliance Indicator E.2 – The agency has a neutral EEO process.	Measure Met? (Yes/No/NA)	Comments
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	

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Measures	Compliance Indicator E.2 – The agency has a neutral EEO process.	Measure Met? (Yes/No/NA)	Comments
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 comment’s column.	N/A	The FHWA is a sub-reporting unit and is not responsible for stages of the EEO process that necessitate legal sufficiency reviews. 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 stages of the EEO process that necessitate legal sufficiency reviews. Legal sufficiency reviews are handled by the Departmental Office of Civil Rights.
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 stages of the EEO process that necessitate legal sufficiency reviews. Legal sufficiency reviews are handled by the Departmental Office of Civil Rights.

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Measures	Compliance Indicator E.3 - The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.	Measure Met? (Yes/No/NA)	Comments
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	

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	

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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.3	Recruitment activities? [see MD-715, II(E)]	Yes	The FHWA Office of 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
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 the EEOC Form 462 to develop and provide training in EEO areas and track trends.

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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.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 the General Services Administration: 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	
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	

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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.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 FHWA has timely responded to and complied with all final EEOC orders. In one pending matter, EEOC has requested clarification of the status of the FHWA’s compliance with an order related to a finding of discrimination. After exhausting all reconsiderations, the FHWA is fully complying with the EEOC order.
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.
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.

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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.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)]	N/A	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	

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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
The FHWA does not conduct trend analysis on workforce data.	The FHWA has not completed a 3-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	09/30/2023

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

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Target Date (mm/dd/yyyy)	Planned Activities	Sufficient Funding & Staffing? (Yes or No)	Modified Date (mm/dd/yyyy)	Completion Date (mm/dd/yy)
09/30/2017	The FHWA Office of Civil Rights, in continued partnership with the FHWA Office of Human Resources, 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	05/30/2023

Report of Accomplishments

FY	Accomplishment
2022	The FHWA 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 the FHWA Office of Human Resources, the FHWA Office of Civil Rights, FHWA ERGs, 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 FHWA's ADR Program in alignment with OST and in accordance with 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

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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		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

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		9/30/2023

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.

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FY	Accomplishments
2023	<p>The FHWA Office of Civil Rights has conducted an analysis of the FY 23 MS Forms EEO Informal Complaint Process Survey. The survey revealed that all Aggrieved Persons who completed the survey were offered mediation to resolve their EEO matter, but they declined to opt for it due to various reasons unrelated to the process itself.</p> <p>Moving forward, the FHWA Office of Civil Rights will continue to distribute the EEO Informal Complaint Process Survey to all participating parties and use the data collected to identify areas for improvement.</p> <p>In addition, the FHWA Office of Civil Rights will provide training on mediation to employees annually and promote the use of ADR and offer ADR where applicable.</p>

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		

Responsible Official(s)

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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 FHWA Reasonable Accommodation case tracking system for Managers/Employees.	Yes	06/30/2023	06/20/2023
9/30/2022	Distribute FHWA Reasonable Accommodation Procedures.	Yes	06/30/2023	06/21/2023
06/30/2023	Distribute FHWA Reasonable Accommodation Toolkit.	Yes	09/30/2024	

Report of Accomplishments

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

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FY	Accomplishments
2023	The FHWA issued its FHWA Reasonable Accommodation procedures and distributed the procedures to FHWA in June 2023. In FY 23, the FHWA Office of Civil Rights developed and implemented a rollout training plan which included three virtual trainings for Senior Level Leadership (August 15, 2023), Supervisors/Managers/Team Leads (September 12, 2023), and All Staff (September 20, 2023). During each 2-hour virtual session, FHWA Disability Program Managers highlighted key roles and responsibilities in the interactive process and provided a broad overview of FHWA’s newly released Reasonable Accommodation procedures along with practical guidance for both managers and employees.

Part H-4

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 budget and staffing to effectively manage the Anti-Harassment Program.	Low staffing to effectively manage the FHWA’s Anti-Harassment 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)
03/15/2024	Ensure staffing challenges are met to effectively manage FHWA’s Anti-Harassment Program within the defined timelines.	9/30/2024		

Responsible Official(s)

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Title	Name	Performance Standards Address the Plan? (Yes or No)
Anti-Harassment & Equity Coordinator	Anita Heard	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)
03/15/2024	Advertise for rotational Anti-Harassment Program Coordinator.	Yes		
06/01/2024	Advertise and award Anti-Harassment Inquiry contract.			

Report of Accomplishments

FY	Accomplishments
2023	New deficiency.

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.

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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 Male	Yes (Separation Outpace New Hire)
Hispanic or Latino Female	Yes (Workforce Rate Lower Than National Civilian Labor Force)
White Male	Yes (Separation Outpace New Hire)
White Female	Yes (Workforce Rate Lower Than National Civilian Labor Force)
Black or African American Male	Yes (Separation Outpace New Hire)
Black or African American Female	No
Asian Male	Yes (Separation Outpace New Hire)
Asian Female	No
Native Hawaiian or Other Pacific Islander Male	No
Native Hawaiian or Other Pacific Islander Female	No
American Indian or Alaska Native Male	No
American Indian or Alaska Native Female	No
Two or More Races Male	No
Two or More Races Female	No

Barrier Analysis Process

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Workforce Data Tables	Yes	A1/B1 data tables, 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, No Fear Report
Climate Assessment Survey (e.g., FEVS)	Yes	Federal Employee Viewpoint Survey
Exit Interview Data	No	

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Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Focus Groups	Yes	Barrier Analysis Team’s input on FHWA workforce analysis and action plans to address deficiencies.
Interviews	Yes	Barrier analysis interview responses from key staff from the FHWA Office of Civil Rights, the FHWA Office of Administration, and select FHWA ERGs.
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	Yes	The DOT Equity Initiatives to support the EO 13985 & 13988 – DOT’s Equity Action Plan https://www.transportation.gov/priorities/equity/equity-action-plan/actions
Other (Please Describe)	Yes	FHWA 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 participation rates differences 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 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 FY 22–26 Strategic Plan.	03/30/2018	09/30/2022	Yes	09/30/2024	

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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) Focus Groups; 2) Exit Interviews; and 3) Discussions to enhance data collection and submission.	04/30/2021	09/30/2023	Yes	09/30/2024	

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)
09/30/2023	Perform Barrier Analysis on hiring rate, separation rate, RNO and gender at higher grade levels.	09/30/2024	

Report of Accomplishments

FY	Accomplishments
2022	In FY 22, FHWA finalized the Women’s Focus Group Report. Briefings and discussions were held in FY 22 with FHWA ERGs 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.

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FY	Accomplishments
2023	<p>In FY 23, FHWA participated in 199 recruitment events (virtual and in-person). 46 events were at identified MSIs and HBCUs, and additional 29 events targeted demographics such as PWD, women, and other minority groups. Also, FHWA ROaD Team updated its Strategic Recruitment Plan which includes steps in planning, sourcing, attracting, and engaging with qualified candidates to meet FHWA’s hiring needs.</p> <p>The FHWA Office of Civil Rights annually conducts briefings for the Barrier Analysis Team as part of its barrier analysis process, a routine practice implemented prior to the submission of its MD-715 Report. The team comprised members from FHWA ERGs, FHWA individuals in a management and leadership role, the FHWA Office of Human Resources, the FHWA Office of Administration, the FHWA Office of Chief Counsel, and the FHWA Office of Civil Rights. These briefings covered workforce data and trends, including hiring rates, separation rates, total workforce participation rate, and participation rate of RNO groups in positions ranging from GS-13 to SES levels. The FHWA Office of Civil Rights reviewed existing policies and procedures to identify any potential barriers. Barrier analysis interviews were conducted to delve deeper into the analyzed data and identify additional opportunities to enhance data submissions and program activities. The FHWA Office of Civil Rights has initiated preliminary discussions with the FHWA Office of Human Resources to explore how recruitment initiatives can incorporate changes based on the identified triggers. Moving forward, barrier analysis interviews will continue to dive deeper into the analyzed data and identify additional opportunities to address triggers identified in the workforce data and trends among these RNO groups.</p>

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

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EEO Group	Affected by Trigger (Yes/No)
All Men	Yes (GS-15)
All Women	Yes (GS-13, 14, 15)
Hispanic or Latino Male	Yes (GS-14, 15, SES)
Hispanic or Latino Female	Yes (GS-14)
White Male	No
White Female	Yes (GS-13)
Black or African American Male	Yes (GS-13, 15)
Black or African American Female	Yes (GS-14, 15)
Asian Male	Yes (GS-15)
Asian Female	Yes (SES)
Native Hawaiian or Other Pacific Islander Male	No
Native Hawaiian or Other Pacific Islander Female	No
American Indian or Alaska Native Male	No
American Indian or Alaska Native Female	No
Two or More Races Male	No
Two or More Races Female	No

Barrier Analysis Process

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Workforce Data Tables	Yes	A1/B1 data tables, 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's input on the FHWA workforce analysis and action plan to address deficiencies.
Interviews	Yes	Barrier analysis interview responses from key staff from the FHWA Office of Civil Rights, the FHWA Office of Administration, and select FHWA ERGs.

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Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	Yes	The DOT Equity Initiatives to support the EO 13985 & 13988 – DOT’s Equity Action Plan https://www.transportation.gov/priorities/equity/equity-action-plan/actions
Other (Please Describe)	Yes	FHWA 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 FHWA will explore potential blocked pipelines in higher-grade level. The FHWA has not identified the causes of the condition at the time of reporting.

Objective(s) and Dates for EEO Plan

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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 FHWA exit interviews; and 3) FHWA ERG 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 FHWA.	07/30/2022	09/30/2024	Yes		

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

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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 FHWA exit interviews, and FHWA ERG briefings on any identified triggers to further analyze barriers if necessary. The FHWA will explore and benchmark successes within succession planning to share throughout FHWA.		

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.

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FY	Accomplishments
2023	<p>The FHWA Office of Civil Rights addressed the participation rate of RNO groups in the GS-13 through SES levels. Briefings were conducted for the Barrier Analysis team, comprised of members from FHWA ERGs, FHWA individuals in management and leadership roles, the FHWA Office of Human Resources, the FHWA Office of Administration, the FHWA Office of Chief Counsel, and the FHWA Office of Civil Rights. These briefings provided insights into workforce data and trends, specifically focusing on groups with lower representation compared to the permanent workforce.</p> <p>The FHWA employees participated in DOT’s Leaning into Leadership Event, which cover various topics related to leadership development, including how to approach the executive core qualifications, networking with senior leadership across DOT, effective communication, promising practices amid career transitions, mentorship and coaching, and championing DEIA in the workplace.</p> <p>The FHWA Office of Civil Rights collected and analyzed data from the 2023 Leaning into Leadership Program for the Talent Development Division. Using the relevant applicant pool as the benchmark, triggers existed for White Male, Asian Male, Asian Female employees, as well as PWD, among the qualified internal applicants. Using the qualified applicant pool as the benchmark, triggers existed for Asian Female, PWD, and PWTD among employees selected, meaning they were selected at a rate lower than the qualified applicant pool. Moving forward, FHWA remains committed to implementing and further exploring leadership pipeline efforts within internal promotion practices, including reviewing interviewing process, locational qualifications, enhancing performance reviews and awards processes, and more.</p>

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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 CFR § 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 CFR § 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 percent 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 0 No X

Source: Table B4P: In FY 23, PWD in GS-1 to 10 Cluster of the permanent workforce participate at 18.14 percent a higher rate than the expected 12 percent benchmark, indicating no trigger.

The PWD in the GS-11 to SES Cluster participate at 12.22 percent, a higher rate than the expected 12 percent benchmark, indicating no trigger.

2. Using the goal of 2 percent 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 23, PWTD in GS-1 to 10 Cluster of the permanent workforce participate at 7.44 percent a higher rate than the expected 2 percent benchmark, indicating no trigger.

The PWTD in the GS-11 to SES Cluster participate at 2.54 percent, a higher rate than the expected 2 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 the fourth annual EEO Awareness Symposium. This symposium included sessions such as:

- State of the Agency Briefing: MD-715

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- The State of the Agency session included information where the numerical goals were communicated to participants, which included managers, supervisors, and employees.
- Mock Reasonable Accommodation Session
- Mock EEO Counseling Session
- Mock Anti-Harassment Session
- Diversity Hiring Guide Overview
- Briefing Highlights on the New FHWA Reasonable Accommodations Procedures
- Diversity, Equity, Inclusion, & Accessibility topics

Section II: Model Disability Program

Pursuant to 29 CFR §1614.203(d)(1), agencies must ensure sufficient staff, training, and resources to recruit and hire persons with disabilities and persons with targeted disabilities, administer the Reasonable Accommodation program and special emphasis program, and oversee any other disability hiring and advancement program the Agency has in place.

A. PLAN TO PROVIDE SUFFICIENT AND COMPETENT STAFFING FOR THE DISABILITY PROGRAM

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

Yes X No 0

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

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTD.	1			Shelly Campbell, ROaD Team Lead
Answering questions from the public about hiring authorities that take disability into account	2			Jada Bigham, Program Analyst. Joy Liang, Program Analyst.
Processing reasonable accommodation requests from applicants and employees	2		1	Elizabeth Kraszewski, Disability Program Manager. Kirsten Poston, Disability Program Manager. Jenny Liang, Disability Intake Assistant (Collateral Duty)
Section 508 Compliance	1			Michelle Cribbs, Section 508 Program Manager

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Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Architectural Barriers Act Compliance	1			Jeffrey Baxter, Associate Director of Facilities, OST
Special Emphasis Program for PWD and PWTD	2		1	Elizabeth Kraszewski, Disability Program Manager. 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

Disability Program Managers in the FHWA Office of Civil Rights attend monthly Job Accommodation Network Webinar series to remain abreast of current and emerging trends in reasonable accommodation. Disability program staff also completed multiple Federal Employment Law Training Webinars, including a session on meeting post-pandemic in Reasonable Accommodation and advancing DEIA. In addition, disability program staff attended the Federal Dispute Resolution Conference in August 2023, completing numerous sessions on key Reasonable Accommodation topics.

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 CFR § 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.

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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 23, FHWA participated in 199 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.
 - Implementing a strategic recruitment plan that focuses on increasing the number of applicants with disabilities in FHWA's applicant pool. To achieve this outcome FHWA intends to increase its outreach to talent pools that consist of people with disabilities. This outreach will consist of attending hiring fairs, classroom outreach at academic institutions, and through affinity groups whose membership is made up of people with disabilities.
 - Maintaining 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 database; USAJOBS Agency Talent Portal; State and local vocational rehabilitation agencies and employment offices; the U.S. Department of Veterans Affairs, Wounded Warrior Office, and Vets 2 Feds; military installations and transition offices.
2. Pursuant to 29 CFR § 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, and 30 percent or More Disabled Veterans.

The Human Resources Specialists provide information on these hiring flexibilities when contacted by hiring managers to fill a vacancy. The Human Resources Specialists identify 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

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individual is eligible for appointment under such authority and (2) forwards the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed.

At FHWA, the Human Resources Specialists 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 Human Resources Specialists provides specific information related to how applications are received and reviewed. This may include requesting resumes from FHWA's Selective Placement Coordinator assigned to collect and share this information. In addition, FHWA 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 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 Human Resources staffing personnel as well as for the hiring managers.

As positions become vacant, Human Resources Specialists discuss hiring flexibilities and options with hiring managers to reinforce FHWA's commitment for employing a diverse workforce. These included recruitment options such as Veterans Hiring Flexibilities, including disabled veterans and people with disabilities.

The FHWA Human Resources' Talent Development Division (TDD) provides newly promoted/hired team leaders and supervisors with a Comprehensive Critical Human Resources Skills, a 3 1/2-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.

The TDD also provides quarterly Refresher Critical Human Resources Skills training, a one-day course for experienced team leaders, supervisors, and managers

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

In FY 23, FHWA attended three events targeting persons with disabilities as well as disabled veterans. These included: Gallaudet University’s Spring Career & Internship Fair, abilityJOBS, Virtual Fair, and the U.S. Department of Commerce and Veteran Affairs Employment Commission Non-Competitive Career Fair.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

1. Using the goals of 12 percent for PWD and 2 percent 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 X | No 0 |
| b. | New Hires for Permanent Workforce (PWTD) | Yes 0 | No X |

Source: Table B1-1: In FY 23, the new hire rate for FHWA PWD in the permanent workforce was 11.29 percent. The new hire rate for FHWA PWTD in the permanent workforce was 3.06 percent.

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 Realty Specialist series, indicating a trigger. The PWTD new hire selections were at a lower rate than the qualified external applicant pool within the Environmental Specialist, Financial Specialist, Engineering Technician, and Realty Specialist series, indicating triggers.

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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	3.53%	3.70%	No	2.24%	3.70%	No
(0028) Environmental Specialist	3.77%	9.09%	No	1.81%	0.00%	Yes
(0501/0505) Financial Specialist	4.10%	24.00%	No	2.29%	0.00%	Yes
(0802) Engineering Technician	8.47%	9.09%	No	8.47%	0.00%	Yes
(0810) Civil Engineering	1.65%	8.99%	No	1.07%	2.25%	No
(1170) Realty Specialist	6.86%	0.00%	Yes	2.56%	0.00%	Yes
(2101) Transportation Specialist	4.44%	7.69%	No	2.39%	3.85%	No

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

- 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 six of the MCOs, all except Realty Specialist, indicating triggers. The PWTD qualified as applicants at a lower rate than the relevant applicant pool within all seven of MCOs, indicating triggers.

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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	7.84%	1.06%	Yes	2.94%	0.00%	Yes
(0028) Environmental Specialist	11.21%	1.43%	Yes	0.86%	0.00%	Yes
(0501/0505) Financial Specialist	15.38%	6.87%	Yes	3.85%	0.00%	Yes
(0802) Engineering Technician	13.70%	0.00%	Yes	2.74%	0.00%	Yes
(0810) Civil Engineering	8.47%	3.48%	Yes	1.32%	1.05%	Yes
(1170) Realty Specialist	8.11%	14.29%	No	2.70%	0.00%	Yes
(2101) Transportation Specialist	11.04%	2.94%	Yes	2.99%	0.35%	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 Community Planner, Environmental Specialist, and Realty Specialist series, indicating triggers. The PWTD were selected at a lower rate than the qualified internal applicant pool within the Civil Engineering series, indicating a trigger.

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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	1.06%	0.00%	Yes	0.00%	0.00%	No
(0028) Environmental Specialist	1.43%	0.00%	Yes	0.00%	0.00%	No
(0501/0505) Financial Specialist	6.84%	12.50%	No	0.00%	12.50%	No
(0802) Engineering Technician	0.00%	0.00%	No	0.00%	0.00%	No
(0810) Civil Engineering	3.48%	14.29%	No	1.05%	0.00%	Yes
(1170) Realty Specialist	14.29%	0.00%	Yes	0.00%	0.00%	No
(2101) Transportation Specialist	2.94%	15.79%	No	0.35%	10.53%	No

Section IV: Plan to Ensure Advancement Opportunities for Employees with Disabilities

Pursuant to 29 CFR §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.

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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 FHWA Office of Human Resources, FHWA 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 FHWA employees for enhanced performance and career advancement. These programs target employees at all levels in a variety of venues. The programs are as follows:

- The 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 Decisionmaking Training,
- Innovative and Exceptional Partnerships Training,
- Individual Development Plan Workshop,
- Launch Point-Supervisory Training Program,
- Leadership Competency Certificate Program,
- Leadership Development Academy, 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	0.0	0.0
Mentoring Programs	36	32	11.1	5.6	15.6	6.3
Coaching Programs	0	0	0.0	0.0	0.0	0.0
Training Programs	176	176	8.5	8.5	2.8	2.8

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Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Detail Programs	7	7	14.3	14.3	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 X No 0
 - b. Selections (PWD) Yes X No 0

Using the percentage of PWD at the start of FY 23, 12.49 percent (**Source: Table B1-1**) as the relevant applicant pool: Applicant Triggers exist for the Internship, Mentoring, Training, and Other Career Development Programs. Selectee Triggers exist for the Internship, Mentoring, Training, 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 X No 0
 - b. Selections (PWTD) Yes X No 0

Using the percentage of PWTD at the start of FY 23, 2.97 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, 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 0 No X
 - b. Awards, Bonuses, & Incentives (PWTD) Yes 0 No X

Source: Table B9-2: When analyzing award categories, Cash Awards indicated No triggers for both PWD and PWTD when compared to their inclusion rates. In addition, the Time-off Awards analysis indicated no triggers for PWD/PWTD. Note: This tables utilizes additional data to analyze triggers. (See table below)

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PY 2023 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	2639-340 = 2299	340/361 = 94.18%	2299/2489 = 92.37%	No
PWTD Cash		80/83 = 96.39%		No
PWD Time-Off	1936-252 = 1684	252/361 = 69.81%	1684/2489 = 67.66%	No
PWTD Time-Off		60/83 = 72.29%		No

2. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTD for quality step increases or performance-based pay increases? If “yes”, please describe the trigger(s) in the text box.
- a. Pay Increases (PWD) Yes 0 No X
- b. Pay Increases (PWTD) Yes 0 No X

Source: Table B9-2: When analyzing the quality step increase award category separately, there were No triggers for both PWD and PWTD when compared to its inclusion rates. (See the table below)

PY 2023 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD QSI	49 – 7 = 42	7/361 = 1.94%	42/2489= 1.69%	No
PWTD QSI		2/83= 2.41%		No

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

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recognition program and relevant data in the text box.

- a. Other Types of Recognition (PWD) Yes No 0 N/A 0
- b. Other Types of Recognition (PWTD) Yes 0 No N/A 0

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 2023 FHWA Awards	Persons without Disability (Pw/oD)	Inclusion Rate for PWD & PWTD Group	FHWA Total Permanent Workforce Inclusion Rate/Benchmark	Trigger
PWD SES	42 – 2 = 40	2/2 = 100.00%	40/47 = 85.11%	No
PWTD SES		0/0 = N/A		No
PWD Honorary Awards	581 – 67 = 514	67/361 = 18.56%	514/2489 = 20.65%	Yes
PWTD Honorary Awards		19/83 = 22.89%		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 No 0
 - ii. Internal Selections (PWD) Yes No 0
 - b. Grade GS-15
 - i. Qualified Internal Applicants (PWD) Yes No 0
 - ii. Internal Selections (PWD) Yes No
 - c. Grade GS-14
 - i. Qualified Internal Applicants (PWD) Yes No 0
 - ii. Internal Selections (PWD) Yes No
 - d. Grade GS-13
 - i. Qualified Internal Applicants (PWD) Yes No 0
 - ii. Internal Selections (PWD) Yes No

Source: Table B-7 SENIOR GRADE LEVELS: The FHWA 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,

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GS-14, GS-15, and SES grade levels. Of those qualified, PWD are internally selected at rates lower than they are qualified for only the SES level. 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	9.57%	1.61%	Yes	0.00%	Yes
GS-15	10.18%	2.12%	Yes	6.25%	No
GS-14	10.95%	2.37%	Yes	6.45%	No
GS-13	15.06%	4.27%	Yes	8.57%	No

2. Does your agency have a trigger involving PWTD among the qualified *internal* applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box.
 - a. SES
 - i. Qualified Internal Applicants (PWTD) Yes X No 0
 - ii. Internal Selections (PWTD) Yes 0 No X
 - 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 0 No X
 - d. Grade GS-13
 - i. Qualified Internal Applicants (PWTD) Yes X No 0
 - ii. Internal Selections (PWTD) Yes 0 No X

Source: Table B-7 SENIOR GRADE LEVELS: The FHWA 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 GS-14, GS-15, and SES grade levels. Of those qualified, PWTD are internally selected at rates lower than they are qualified for at the GS-15 level. Analysis to identify triggers using Table B-7 are displayed below:

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Senior Grade Level	PWTD				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
SES	3.04%	0.00%	Yes	0.00%	No
GS-15	2.13%	1.59%	Yes	0.00%	Yes
GS-14	2.00%	0.53%	Yes	3.23%	No
GS-13	3.65%	0.46%	Yes	5.71%	No

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

- | | | |
|-----------------------------|---|--|
| a. New Hires to SES (PWD) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b. New Hires to GS-15 (PWD) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c. New Hires to GS-14 (PWD) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| d. New Hires to GS-13 (PWD) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Source: Table B-7 SENIOR GRADE LEVELS: The FHWA 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 SES level, indicating selection triggers. Analysis to identify triggers are displayed below:

Senior Grade Level	PWD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
SES	9.01%	0.00%	Yes
GS-15	4.80%	11.11%	No
GS-14	3.89%	10.87%	No
GS-13	4.52%	9.88%	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 <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b. New Hires to GS-15 (PWTD) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c. New Hires to GS-14 (PWTD) | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| d. New Hires to GS-13 (PWTD) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Source: Table B-7 SENIOR GRADE LEVELS: The FHWA used Table B-7 to analyze the applicant flow of qualified applicants and/or selections for New Hires by grade and PWTD to the senior level (analysis included GS-13 to 15,

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SES). Of those qualified, PWTB are selected at rates lower than the rate of those qualified for the GS-13 and SES level, indicating selection triggers. Analysis to identify triggers are displayed below:

Senior Grade Level	PWTB		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
SES	5.41%	0.00%	Yes
GS-15	2.89%	11.11%	No
GS-14	1.71%	4.35%	No
GS-13	2.19%	1.23%	Yes

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

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

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

Supervisory Positions	PWTB				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
Executives	9.57%	1.79%	Yes	0.00%	Yes
Managers	10.18%	2.67%	Yes	9.09%	No
Supervisors	9.64%	2.02%	Yes	16.67%	No

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

- a. Executives

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

Source: Table B8: PWTD Qualified Internal Applicants at the Executive and Supervisor level, and Selectees at the Manager level fell lower than their benchmarks, indicating triggers.

Supervisory Positions	PWTD				
	RELEVANT APPL POOL	QUAL INTERNAL APPL	Triggers Yes/No	INTERNAL SELECTION	Triggers Yes/No
Executives	3.04%	0.00%	Yes	0.00%	No
Managers	2.13%	2.64%	No	0.00%	Yes
Supervisors	1.73%	0.00%	Yes	8.33%	No

7. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the selectees for new hires to supervisory positions? If “yes”, describe the trigger(s) in the text box.
- a. New Hires for Executives (PWD) Yes X No 0
 - b. New Hires for Managers (PWD) Yes 0 No X
 - 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 and Supervisor ranks, indicating triggers.

Supervisory Positions	PWD		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
Executives	8.33%	0.00%	Yes
Managers	6.77%	33.33%	No
Supervisors	1.28%	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 0 No X
 - c. New Hires for Supervisors (PWTD) Yes X No 0

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Source: Table B8: The PWTB were selected at rates lower than the qualified applicant pool within the Executive and Supervisor ranks, indicating triggers.

Supervisory Positions	PWTB		
	QUAL APPL POOL	SELECTIONS	Triggers Yes/No
Executives	5.56%	0.00%	Yes
Managers	4.51%	33.33%	No
Supervisors	1.28%	0.00%	Yes

Section V: Plan to Improve Retention of Persons with Disabilities

To be a model employer for persons with disabilities, agencies must have policies and programs in place to retain employees with disabilities. In this section, agencies should: (1) Analyze workforce separation data to identify barriers retaining employees with disabilities; (2) describe efforts to ensure accessibility of technology and facilities; and (3) provide information on the reasonable accommodation program and workplace personal assistance services.

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

- In this reporting period, did the agency convert all eligible Schedule A employees with a disability into the competitive service after 2 years of satisfactory service (5 CFR. § 213.3102(u)(6)(i))? If "no," please explain why the agency did not convert all eligible Schedule A employees.
 Yes X No 0 N/A 0

Two Schedule A employees were converted in FY 23; one separated prior to their 2 years and did not get converted.

- Using the inclusion rate as the benchmark, did the percentage of PWD among voluntary and involuntary separations exceed that of persons without disabilities? If "yes", describe the trigger below.
 - Voluntary Separations (PWD) Yes X No 0
 - Involuntary Separations (PWD) Yes X No 0

Source: Table B1-2 - Separations by Type of Separation - Distribution by PWD - Permanent Workforce: Based on the inclusion rate in FY 23, the voluntary separation rate for PWD (11.63 percent) was higher than employees without a disability (9.64 percent) for the permanent workforce. The PWD involuntary separation rate (1.11 percent) was higher than the non-PWD involuntary separation rate (0.24 percent), indicating a trigger.

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FY 23 Separations	Inclusion Rate for EEO Group	FHWA Total Permanent Workforce Inclusion	Trigger
Formula	Inclusion Rate [Divide the Total # of PWD 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 PWD is higher than Inclusion rate for Pw/oD]
PWD Voluntary	42/361 = 11.63%	240/2489 = 9.64%	Yes
PWD Involuntary	4/361 = 1.11%	6/2489 = 0.24%	Yes

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

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

Source: Table B1-2 - Separations by Type of Separation - Distribution by PWTD - Permanent Workforce: Based on the inclusion rate in FY 23, the voluntary separation rate for PWTD (9.64 percent) was the same as employees without a disability (9.64 percent) for the permanent workforce. The PWTD involuntary separation rate (1.21 percent) however, is higher than the non-PWD involuntary separation rate (0.24 percent), indicating a trigger.

FY 23 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	7/83 = 8.43%	240/2489 = 9.64%	No
PWTD Involuntary	1/83 = 1.21%	6/2489 = 0.24%	Yes

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

Participation in exit interviews and exit surveys is voluntary. In the exit surveys submitted for FY 23, individuals who self-identified as a PWD or PWTD specified the following reasons for their separation:

- One PWTD from Quarter One: retirement
- Two PWTD from Quarter Two: two transferred – promotion

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- Two PWTD from Quarter Three: one transfer – lateral opportunity, one expiration or temporary, term, intern, or co-op appointment.
- One PWD from Quarter Four: retirement
- Two PWTD from Quarter Four: one transfer – lateral opportunity, one expiration or temporary, term, intern, or co-op appointment.

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

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

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

The internet address on DOT's public Website regarding Architectural Barriers Act is <https://www.transportation.gov/mission/facility-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 61 instructor-led training sessions in FY 23 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 expanded in FY 23 to add more resources such as additional training, a best practices library and an option to request a 508 consultation/coaching session.

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C. REASONABLE ACCOMMODATION PROGRAM

Pursuant to 29 CFR § 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 23 for RA Requests was 77 days.

The average processing time in FY 23 for RA Requests less than 25 days was 5.6 days.

The average processing time in FY 23 for RA Requests greater than 25 days was 153.4 days.

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 23, FHWA finalized and implemented its 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 developed an informational brochure on the Reasonable Accommodation process to assist supervisors/managers and employees in knowing their role in the interactive process. The brochure includes a flow chart which guides employees through key steps in the process from the initiation of a reasonable accommodation request to issuing a decision. Moreover, the Disability Program Managers provided virtual Webinars to brief all staff on the new Reasonable Accommodation procedures and provided a mock Reasonable Accommodation request session during the EEO Awareness Symposium held in the summer of FY 23. The Disability Program Managers were panelists at the EEO Awareness Symposium for FHWA employees. Disability program staff continued to monitor trends in Reasonable Accommodation requests, noting a continued uptick in requests for telework/remote work in FY 23. The Disability Program Managers continued to collaborate with Human Resources staff in the FHWA Office of Administration to ensure approvals for remote work as a reasonable accommodation were processed correctly.

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

Pursuant to 29 CFR § 1614.203(d)(5), Federal Agencies, as an aspect of affirmative action, are required to provide personal assistance services (PAS) to employees who need them because of a targeted disability, unless doing so would impose an undue hardship on the agency.

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.

The FHWA does not have an internal PAS procedure. The FHWA's disability program staff coordinates with the Departmental Office of Civil Rights' staff for any PAS requests received. During FY 23, FHWA's disability program staff received zero PAS requests. The FHWA follows DOT's Workplace Personal Assistance as a Reasonable Accommodation process (<https://www.transportation.gov/drc/personal-assistance-as-reasonable-accommodation>).

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 No N/A
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 No N/A
3. If the agency had one or more findings of discrimination alleging harassment based on disability status during the last fiscal year, please describe the corrective measures taken by the agency.

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

1. During the last fiscal year, did a higher percentage of PWD file a formal EEO complaint alleging failure to provide a reasonable accommodation, as compared to the governmentwide average?
Yes No N/A
2. During the last fiscal year, did any complaints alleging failure to provide reasonable accommodation result in a finding of discrimination or a settlement agreement?
Yes No N/A

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

Section VII: Identification and Removal of Barriers

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

- Has the agency identified any barriers (policies, procedures, and/or practices) that affect employment opportunities for PWD and/or PWTD?
 Yes X No 0
- Has the agency established a plan to correct the barrier(s) involving PWD and/or PWTD?
 Yes X No 0 N/A 0
- Identify each trigger and plan to remove the barrier(s), including the identified barrier(s), objective(s), responsible official(s), planned activities, and, where applicable, accomplishments.

Trigger 1	PWTD have a low participation rate in the FHWA workforce in grades GS-13 to SES.
Barrier(s)	Recruitment Practices: The FHWA focuses recruitment on distributing competitive vacancy announcements. Reasonable Accommodation: The FHWA needs to finalize and market its written procedures for Reasonable Accommodations for FHWA employees.
Objective(s)	Increase hiring managers' and Human Resources 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 FHWA 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. 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.

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

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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	FHWA 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)
Ongoing	Educate hiring managers and Human Resource Specialists on available hiring flexibilities to include Schedule A.	Yes	09/30/2024	05/16/2023
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	

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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	Develop step by step procedures on the Reasonable Accommodations process in easy-to-use format for employees.	Yes	09/30/2022	Completed 06/21/2023

FY	Accomplishments
2022	The FHWA's Disability Program Manager, Team Lead, and Detailee provided Reasonable Accommodation guidance to employees and managers and assisted in processing 52 Reasonable Accommodation requests during FY 22.
2022	The FHWA's Disability Program Manager provided virtual Reasonable Accommodation training at the FY 22 EEO Awareness Symposium.
2022	The FHWA completed its draft Reasonable Accommodation Procedures that will be used by employees, including manager and supervisors.
2023	The FHWA provided training to hiring managers and Human Resources Staff on available hiring flexibilities to include Schedule A. The FHWA Office of Civil Rights and the FHWA Office of Human Resources will review the disability status reporting of preference eligible veterans to determine what, if any, outreach education should be developed to encourage identifying as a PWD/PWTD. The FHWA finalized and implemented its internal Reasonable Accommodation Procedures and provided virtual training to all staff.

Trigger 2	PWD and 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 and SES).</p>
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	FHWA 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)
09/30/22	Roll out and implement a Reasonable Accommodation Request Portal to create a user-friendly and seamless Reasonable Accommodation request process for both requestors and decisionmakers.	Yes	06/30/2024	
Ongoing	Provide training to all FHWA staff on FHWA's Reasonable Accommodation procedures and process.	Yes		09/20/2023
Ongoing	Conduct site visits to FHWA regional offices that have not yet received in person Reasonable Accommodation training and/or require additional training for Reasonable Accommodation process improvement and fostering an inclusive environment	Yes		Completed 08/22/2023

FY	Accomplishments
2022	The FHWA Office of Civil Rights partnered with the FHWA Data Visualization Center to create a Reasonable Accommodation request hub for employees to submit their request, managers to review and render a Reasonable Accommodation decision, and Disability Program Managers to track requests and associated timelines. The request hub is in a final testing status and the FHWA Office of Civil Rights is collaborating with the FHWA Office of Information Technology to ensure medical documentation including Sensitive Personally Identifiable Information 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.

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FY	Accomplishments
2023	The Disability Program Managers provided training for FHWA Managers/Supervisors and employees on the Reasonable Accommodation process and the new procedures. Also, a Reasonable Accommodation brochure was developed and distributed to FHWA employees. FHWA developed an internal tracking system so that the Disability Program Managers could streamline and modernize their case management. We continue to have annual educational awareness associated with NDEAM in October of each year in honor of National Disability Employment Awareness Month. Multiple site visit training was performed in FY 23 and the last fiscal year session was on August 8, 2023.

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

While the Reasonable Accommodation request hub for employees has been developed and piloted, a barrier arose regarding storing Sensitive Personally Identifiable Information on a SharePoint site. After the FHWA Office of Civil Rights was advised not to store medical documentation via the SharePoint site, additional collaboration and planning with the FHWA Office of Information Technology began. The adjusted target implementation date is now June 30, 2024.

If roadblocks regarding the storage of data cannot be addressed, then other case management systems for managers/supervisors will be explored by the FHWA Office of Civil Rights.

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

The FY 23 NDEAM informational session provided on October 27, 2022, featured remarks generated a robust discussion surrounding barriers to employment for the disability community and gave the guest speaker's personal reflections on ways to be more inclusive.

The Reasonable Accommodation training provided during FY 23 assisted in implementing the newly disseminated FHWA Reasonable Accommodation Procedures and ensuring all staff are aware of how to submit a reasonable accommodation request or if a decisionmaker, how to render a decision and implement an effective accommodation.

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 continue barrier analysis efforts 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

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excluding qualified candidates. Trainings were provided to managers, supervisors, and Human Resources staff on disability inclusion, reasonable accommodations, and unconscious bias.