

Federal Mediation and Conciliation Service

For period covering October 1, 2019 to September 30, 2020

<b>PART A</b> Department or Agency Identifying Information	<b>1. Agency</b>	<b>1.</b> Federal Mediation and Conciliation Service
	<b>1.a</b> 2nd level reporting component	
	<b>2. Address</b>	<b>2.</b> 250 E Street, SW
	<b>3. City, State, Zip Code</b>	<b>3.</b> Washington, DC 20427
	<b>4. Agency Code</b>   <b>5. FIPS code(s)</b>	<b>4.</b> FM00   <b>5.</b> FM00

<b>PART B</b> Total Employment	<b>1.</b> Enter total number of permanent full-time and part-time employees	<b>1.</b> 210
	<b>2.</b> Enter total number of temporary employees	<b>2.</b> 1
	<b>3. TOTAL EMPLOYMENT [add lines B 1 through 2]</b>	<b>4.</b> 211

<b>PART C</b> Agency Official(s) Responsible For Oversight of EEO Program(s)	<b>Title Type</b>	<b>Name</b>	<b>Title</b>
		Head of Agency	Gary Hattal
	Principal EEO Director/Official	Denise McKenney	EEO Director
	Affirmative Employment Program Manager	Denise Mckenney	EEO Director
	Complaint Processing Program Manager	Denise McKenney	EEO Director
	Diversity & Inclusion Officer	Denise Mckenney	EEO Director
	Hispanic Program Manager (SEPM)	Denise Mckenney	EEO Director
	Women's Program Manager (SEPM)	Denise Mckenney	EEO Director
	Disability Program Manager (SEPM)	Natalie Samuels	Benefits Officer
	Reasonable Accommodation Program Manager	Natalie Samuels	Benefits Officer
	Anti-Harassment Program Manager	Angie Titcombe	Director of Human Resources
	ADR Program Manager	Denise Mckenney	EEO Director
	Compliance Manager	Denise McKenney	EEO Director
	Principal MD-715 Preparer	Makalah Atkinson	Management Operations Specialist

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<b>PART D</b> List of Subordinate Components Covered in This Report	<b>Subordinate Component and Location (City/State)</b>	<b>Country</b>	<b>Agency Code</b>
	Federal Mediation and Conciliation Service Woodbridge, NJ	United States	FM00
	Federal Mediation and Conciliation Service Philadelphia, PA	United States	FM00
	Federal Mediation and Conciliation Service Washington, DC	United States	FM00
	Federal Mediation and Conciliation Service Cleveland, OH	United States	FM00
	Federal Mediation and Conciliation Service Nashville, TN	United States	FM00
	Federal Mediation and Conciliation Service St. Louis, MO	United States	FM00
	Federal Mediation and Conciliation Service Seattle, WA	United States	FM00
	Federal Mediation and Conciliation Service Los Angeles, CA	United States	FM00
	Federal Mediation and Conciliation Service Minneapolis, MN	United States	FM00

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

EXECUTIVE SUMMARY: MISSION

**This Equal Employment Program Status Report for Fiscal Year 2020 (FY 2020) outlines the status of the Federal Mediation and Conciliation (FMCS) Equal Employment Opportunity (EEO) Program activities undertaken pursuant to its EEO program responsibilities under Title VII of the Civil Rights Act of 1964. This report also describes FMCS activities undertaken pursuant to its affirmative action obligations under the Rehabilitation Act of 1973, and as required by the U.S. Equal Employment Opportunity Commission's (EEOC) Management Directive 715.**

This report highlights FMCS's accomplishments in establishing and maintaining a model program by promoting equal employment opportunity for all of its employees and applicants. The report also provides the FY2020 plan to address any deficiencies which were identified during the course of the year.

## **The Federal Mediation and Conciliation Service**

The Federal Mediation and Conciliation Service, created in 1947, is an independent agency whose mission is to help resolve labor disputes. Headquartered in Washington, D.C. with 9 district offices, 12 field offices and over 50 home offices, the Agency provides mediation and conflict resolution services to industry, government agencies and communities across the nation. The FMCS prides itself on building better relationships through joint problem-solving and constructive responses to labor-management conflict. This in turn improves the ability of organizations to create value for customers, shareholders, and employees alike which substantially benefits the national economy. The Agency concentrates its efforts on assisting employers and employees in coping with the demands of a rapidly changing workplace. FMCS, also, looks at proactive measures to provide customers with tools to resolve conflict at the lowest possible level.

## **Mission Statement**

FMCS' mission is to promote the development of sound and stable labor management relationships; prevent or minimize work stoppages by assisting labor and management to settle their disputes through mediation; advocate collective bargaining, mediation and voluntary arbitration as the preferred processes for settling issues between employers and representatives of employees; develop and advocate the practice of conflict resolution; and foster the establishment and maintenance of constructive joint processes to improve labor-management relationships, employment security and organizational effectiveness.

## **Vision Statement**

Reflecting on our mission statement, we are committed to providing a strong and viable collective bargaining system and the benefit of effective conflict resolution processes as a foundation for society's well-being and economic growth. This value statement embodies our core principles:

People are the key to FMCS's effectiveness and ability to excel. We strive for an atmosphere of mutual trust and inclusion with respect for the dignity and uniqueness of all individuals. We promote continuous growth and development and encourage individual responsibility and teamwork for excellence and leadership.

We are dedicated to meeting the needs of labor and management through continuous improvement. We are committed to anticipating and responding to change. Commitment to quality education and training is vital to our mission. Leadership through initiative, creativity and innovation is essential. Neutrality, confidentiality and

**EXECUTIVE SUMMARY: MISSION**

acceptability are the foundations of our work.

**EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F**

**EXECUTIVE SUMMARY: WORKFORCE ANALYSES**

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

[Redacted] am the  
(Insert Name Above) (Insert official title/series/grade above)

Principal EEO Director/Official for

[Redacted]  
(Insert Agency/Component Name above)

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

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

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Agency Head or Agency Head Designee



\_\_\_\_\_  
Date

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Agency Self-Assessment Checklist

Essential Element: A Demonstrated Commitment From agency Leadership



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.1. The agency issues an effective, up-to-date EEO policy statement.				
	A.1.a. Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "Yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	X			The agency issues a signed and dated EEO policy statement annually. The statement is issued within 90 days from the beginning of each fiscal year. However, FY20 the statement was delayed due to agency restructure and agency head vacancy. 11/5/2020
	A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	X			



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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.2. The agency has communicated EEO policies and procedures to all employees.				
A.2.a. Does the agency disseminate the following policies and procedures to all employees:					
A.2.a.1. Anti-harassment policy? [see MD 715, II(A)]		X			Annually.
A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]		X			Reasonable accommodation procedures have been updated and posted to Agency's public website and intranet site.
A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:					
A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]		X			The business contact information for its EEO Counselors, EEO Director, Reasonable Accommodation Manager and Special Emphasis Program Manager are posted on the agency's public website, intranet and posted throughout the workplace.
A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR § 1614.102(b)(5)]		X			All written concerning the EEO program, laws, policy statements and the operation of the EEO complaint process are posted outside of the Office of Human Resource. Additionally, the information is available on the agency's public website and intranet.
A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.		X			www.fmcs.gov
A.2.c. Does the agency inform its employees about the following topics:					

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<p>A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If “yes”, please provide how often and the means by which such training is delivered.</p>	<p>X</p>		<p>Annually. Regional FMCS Field Conferences (in-person or webinar), new employee orientation (in-person or webinar) and Learning Management System (on-demand - webinar).</p>
<p>A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If “yes”, please provide how often.</p>	<p>X</p>		<p>Annually. Regional FMCS Field Conferences (in-person or webinar). Also, the ADR process information is posted on the agency's public website. and intranet.</p>
<p>A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If “yes”, please provide how often.</p>	<p>X</p>		<p>Annually. Regional FMCS Field Conferences (in-person or webinar). Also, the reason accommodation program information is posted on the agency's public website and intranet.</p>
<p>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.</p>	<p>X</p>		<p>Annually. Regional FMCS Field Conference and also at the annual Regional Director/ National Headquarters annual meeting.</p>
<p>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.</p>	<p>X</p>		<p>Annual.</p>

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.3. The agency assesses and ensures EEO principles are part of its culture.				
	A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If "yes", provide one or two examples in the comments section. .		X		Currently being discussed with Senior Leadership.
	A.3.b. Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]	X			

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

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

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.2. The EEO Director controls all aspects of the EEO program.				
	B.2.a. Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			The responsibility is shared jointly between the EEO Director and the HR Director.
	B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			
	B.2.c. Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
	B.2.d. Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
	B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			
	B.2.f. Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	X			annually.
	B.2.g. If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (c)(3)]	X			The EEO Director provides guidance and coordination for all components of the agency.
 Compliance Indicator	B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	X			
	B.3.b. Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.		X		Currently being discussed with leadership.

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

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills				
	B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:				
	B.5.a.1. EEO complaint process? [see MD-715(II)(B)]	X			
	B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]	X			
	B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]	X			
	B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	X			Annual training at Regional Conference and in person at the National Headquarters.
	B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	B.6. The agency involves managers in the implementation of its EEO program.	Yes	No	N/A	
	B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	X			
	B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]			X	The agency has not conducted a barrier analysis.
	B.6.c. When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]			X	The agency has not developed EEO action plans.
	B.6.d. Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR §1614.102(a)(5)]			X	The agency has not implemented EEO Action plans or incorporated the EEO Action Plan Objectives into the agency's strategic plan.

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Agency Self-Assessment Checklist

Essential Element: C Management and Program Accountability



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



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

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Agency Self-Assessment Checklist

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

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

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.			N/A	
	C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]	X			
	C.5.b. When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.			X	The agency has not had to discipline or sanction managers and employees for discriminatory conduct. However, if the situation arises, the agency will do so.
	C.5.c. If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct (e.g., post mortem to discuss lessons learned)? [see MD-715, II(C)]			X	The agency has not had a finding of discrimination. However, if the agency has a finding of discrimination, the agency will inform managers about the discriminatory conduct.
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	C.6. The EEO office advises managers/supervisors on EEO matters.	Yes	No	N/A	
	C.6.a. Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.	X			This information is provided during the annual managers' meeting.
	C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	X			

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Essential Element: D Proactive Prevention

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.				
D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]				X	The agency has not established a process for identifying triggers in the workplace. In FY19, the Office of EEO and Human Resources to review the data collection process and ensure that the data collected is accurate for the agency to identify potential triggers in the workplace.
D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]			X		The EEO Director is in the process of developing a data collection process plan to ensure the Office of Human Resource is collected the necessary information for trigger identification.
D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]			X		

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.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)]				X	The agency does not have process for analyzing the identified triggers to find possible barriers. For FY21, the EEO Director will meet with the Chief Human Resource Officer and senior leadership to discuss and develop plan to address this element.
D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]			X		For FY21, the EEO Director will meet with the Chief Human Resource Officer and senior leadership to discuss and develop a plan to address this element.
D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]		X			
D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.			X		For FY21, the EEO Director will meet with the Chief Human Resource Officer and senior leadership to discuss and develop plan to address this element.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.3. The agency establishes appropriate action plans to remove identified barriers.				
	D.3.a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]			X	For FY21, the EEO Director will meet with the Chief Human Resource Officer and senior leadership to discuss and develop plan to address this element.
	D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]			X	For FY21, the EEO Director will meet with the Chief Human Resource Officer and senior leadership to discuss and develop plan to address this element.
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]			X	For FY21, the EEO Director will meet with the Chief Human Resource Officer and senior leadership to discuss and develop plan to address this element.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.				
	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.	X			www.fmcs.gov
	D.4.b. Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR §1614.203(d)(1)(i)]	X			
	D.4.c. Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR §1614.203(d)(1)(ii)(A)]	X			
	D.4.d. Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR §1614.203(d)(7)(ii)]	X			



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Agency Self-Assessment Checklist

Essential Element: E Efficiency

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Agency Self-Assessment Checklist

 Compliance Indicator	Measures	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.					
E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?		X			
E.1.b. Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?		X			
E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?		X			
E.1.d. Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.		X			Within 10 days
E.1.e. Does the agency ensure that all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?		X			
E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?		X			
E.1.g. If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?		X			
E.1.h. When the complainant did not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?		X			
E.1.i. Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?		X			
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.		X			The agency uses contractors for investigations. The agency has not encountered this issue; however, if the issue arises, the agency will hold them accountable for poor work product and/or delays.
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)]		X			The agency has not encountered this issue; however, if the issue arises, the agency will hold them accountable for poor work product and/or delays during performance reviews.

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E.1.1. 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)]		X			
 <b>Compliance Indicator</b>	E.2. The agency has a neutral EEO process.	<b>Measure Has Been Met</b>			<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		Yes	No	N/A	
E.2.a. Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If "yes", please explain.		X			The FMCS EEO complaint program receives legal resources from outside contractors or IAA with other federal agency.
E.2.b. When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/location of the attorney who conducts the legal sufficiency review in the comments column.		X			Outside contractors or IAA with other federal agency
E.2.c. If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]		X			
E.2.d. Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]		X			
E.2.e. If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? [see EEOC Report, Attaining a Model Agency Program: Efficiency (Dec. 1, 2004)]		X			

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

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program.				
E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data:					
E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]		X			Data is collected, monitored and analyzed manually. EEO Director researching electronic system to implement by FY22.
E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]		X			Data is collected, monitored and analyzed manually. EEO Director researching electronic system to implement by FY22.
E.4.a.3. Recruitment activities? [see MD-715, II(E)]		X			
E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]		X			applicant flow data is collected NFC and USAjobs. EEO Director working with HR director to ensure the accuracy of the data.
E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]		X			
E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]				X	The agency has not received any harassments complaints.
E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]				X	F Chief Human Resource Officer and senior leadership are discussing a plan to address this element.

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Agency Self-Assessment Checklist





 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.5. The agency identifies and disseminates significant trends and best practices in its EEO program.				
E.5.a. Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.				X	The EEO Director is committed to developing a process to monitor the agency's trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces.
E.5.b. Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			The agency sought guidance and reviewed best practices from other agencies such as DOL and HHS on the implementation of the Personal Assistance Services (PAS).
E.5.c. Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]		X			The EEO Director participates in the small agency council.

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Agency Self-Assessment Checklist



Essential Element: F Responsiveness and Legal Compliance

 <b>Compliance Indicator</b>		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 <b>Measures</b>	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.				
	F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	X			
	F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	X			
	F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	X			
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X			
	F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	X			
 <b>Compliance Indicator</b>		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 <b>Measures</b>		Yes	No	N/A	
	F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	X			
	F.2.a.1. When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	X			
	F.2.a.2. When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]			X	The agency has not had a finding of discrimination.
	F.2.a.3. When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	X			
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.3. The agency reports to EEOC its program efforts and accomplishments.				
	F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	X			
	F.3.b. Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	X			

Essential Element:  Other



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Plan to Attain Essential Elements

PART H.1

Brief Description of Program Deficiency:	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. .
Lack of recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in equal employment opportunity.	

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/13/2019	09/01/2021			Develop an employee recognition program to for employees, supervisors, managers, and units demonstrating superior accomplishment in equal employment opportunity.

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Denise McKenney	No

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/01/2021	Schedule a meeting with senior leadership to discuss integrating EEO recognition awards into the annual employee appreciation ceremony.	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.2

Brief Description of Program Deficiency: A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]

The agency lacks an efficient process to examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex and disability.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/13/2019	09/01/2020			Develop a process to examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex and disability.

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Denise McKenney	No

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/01/2020	Schedule meeting with Chief Human Resource Officer to discuss deficiency and identify and develop a plan. Schedule meeting with senior leadership to discuss and implement the plan.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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Plan to Attain Essential Elements

PART H.3

Brief Description of Program Deficiency: A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]

The agency lacks a process for analyzing the identified triggers to find possible barriers.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/13/2020	09/01/2021			Develop a process for analyzing the identified triggers to find possible barriers.

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Denise McKenney	No

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/01/2021	Schedule meeting with Office of Human Resource to review data collection process and identify and correct deficiencies to ensure accurate report.  Office of Human Resource to meet with the National Finance Center (NFC) to discuss MD-715 reporting tables and options to update data collection process.  If NFC is unable to update workforce data, discuss other software available to collect data with senior leadership.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Federal Mediation and Conciliation Service

For period covering October 1, 2019 to September 30, 2020

Plan to Attain Essential Elements

PART H.4

Brief Description of Program Deficiency: 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.

The agency's current strategic plan does not reference EEO / diversity and inclusion principles.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
04/17/2019	09/01/2020		06/01/2020	Update the agency's current strategic plan to reference EEO / diversity and inclusion principles.

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Denise McKenney	No

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/01/2021	Schedule meeting with senior leadership to discuss this deficiency. Update agency strategic plan.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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Federal Mediation and Conciliation Service

For period covering October 1, 2019 to September 30, 2020

Plan to Attain Essential Elements

PART H.5

Brief Description of Program Deficiency:	D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I]] If "yes", please identify the data sources in the comments column.
--	--

The agency does not regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
04/22/2021	09/30/2021			develop a plan to review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Denise Mckenney	No

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2021	Schedule meeting with HR Director and senior leadership to discuss this deficiency.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Federal Mediation and Conciliation Service

For period covering October 1, 2019 to September 30, 2020

Plan to Attain Essential Elements

PART H.6

Brief Description of Program Deficiency:	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)]
--	---

Lacks procedures to examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/01/2021	09/30/2021			Regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Denise Mckenney	No

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2021	Schedule meeting with senior leader and the HR Director to discuss the inclusion of an EEO representative at policy/procedure and practice meetings.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Federal Mediation and Conciliation Service

For period covering October 1, 2019 to September 30, 2020

Plan to Attain Essential Elements

PART H.7

Brief Description of Program  
Deficiency:

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

The agency lacks a process for identifying triggers in the workplace.

Federal Mediation and Conciliation Service

For period covering October 1, 2019 to September 30, 2020

Plan to Attain Essential Elements

PART H.8

Brief Description of Program Deficiency:	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)]
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The agency does not 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.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
01/02/2020	09/01/2021			Implement exit interview

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Denise Mckenney	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
06/01/2021	Schedule with meeting HR Director and senior leadership to discuss the possible implementation of exit interviews and how data is to be collected, monitored and analyzed	Yes		

Accomplishments

Fiscal Year	Accomplishment



Federal Mediation and Conciliation Service

For period covering October 1, 2019 to September 30, 2020

Plan to Eliminate Identified Barriers

**MD-715 – Part J**  
**Special Program Plan**  
**for the Recruitment, Hiring, Advancement, and**  
**Retention of Persons with Disabilities**

To capture agencies' affirmative action plan for persons with disabilities (PWD) and persons with targeted disabilities (PWTD), EEOC regulations (29 C.F.R. § 1614.203(e)) and MD-715 require agencies to describe how their affirmative action plan will improve the recruitment, hiring, advancement, and retention of applicants and employees with disabilities.

**Section I: Efforts to Reach Regulatory Goals**

EEOC regulations (29 CFR §1614.203(d)(7)) require agencies to establish specific numerical goals for increasing the participation of persons with disabilities and persons with targeted disabilities in the federal government

1. Using the goal of 12% as the benchmark, does your agency have a trigger involving PWD by grade level cluster in the permanent workforce? If “yes”, describe the trigger(s) in the text box.

- |                               |        |     |
|-------------------------------|--------|-----|
| a.Cluster GS-1 to GS-10 (PWD) | Answer | Yes |
| b.Cluster GS-11 to SES (PWD)  | Answer | Yes |

The percentage of PWD in the GS-1 to GS-10 cluster was 5%, which is below the goal of 12%. The percentage of PWD in the GS-11 to SES cluster was 6.03%, which is below the goal of 12%.

\*For GS employees, please use two clusters: GS-1 to GS-10 and GS-11 to SES, as set forth in 29 C.F.R. § 1614.203(d) (7). For all other pay plans, please use the approximate grade clusters that are above or below GS-11 Step 1 in the Washington, DC metropolitan region.

2. Using the goal of 2% as the benchmark, does your agency have a trigger involving PWTD by grade level cluster in the permanent workforce? If “yes”, describe the trigger(s) in the text box.

- |                                |        |    |
|--------------------------------|--------|----|
| a.Cluster GS-1 to GS-10 (PWTD) | Answer | No |
| b.Cluster GS-11 to SES (PWTD)  | Answer | No |

No triggers were identified in cluster GS-1 to GS-10 because there were no PWTD among that cluster. The percent of PWTD in the GS-11 to SES cluster was 3.02% which is above the goal of 2%.

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

In FY21, the EEO Director is committed to issuing a memorandum to HR staff, hiring managers and senior leadership, describing the numerical goals set forth under Section 501 and the agency's commitment to meeting those goals. The memorandum will also emphasize improving hiring efforts in the following occupation: 0241- Mediation. Additionally, in FY21, the EEO Director will work with the Office of Human Resources to focus its efforts on surveying employees and educating them on the SF-82 (Self Identification of Disabilities) to encourage self-identification. In conjunction with the Office of Human Resources, the EEO Director will develop training on disabilities in the workplace for all employees. The Office of Human Resources will notify all employees via email about the SF-82 form with detailed instructions on how to update disability information in the online personnel system.

**Section II: Model Disability Program**

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

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

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

Answer Yes

The FMCS Benefits Officer serves as the disability program coordinator, in addition, to managing the reasonable accommodation program.

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	
Architectural Barriers Act Compliance	0	0	1	Cynthia Washington Director of Procurement and Operational Services cWASHINGTON@fmcs.gov
Processing reasonable accommodation requests from applicants and employees	0	0	1	Natalie Samuels Benefits Officer nsamuels@fmcs.gov
Special Emphasis Program for PWD and PWTDD	0	0	1	Denise Mc Kenney Director of EEO dmckenney@fmcs.gov
Processing applications from PWD and PWTDD	0	0	1	Natalie Samuels Benefits Officer nsamuels@fmcs.gov
Answering questions from the public about hiring authorities that take disability into account	0	0	1	Natalie Samuels Benefits Officer nsamuels@fmcs.gov
Section 508 Compliance	0	0	1	Kimberly Warren Digital Media Strategist kwarren@fmcs.gov

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

Answer Yes

The EEO Director collaborated with the Office of Human Resources to incorporate the following training classes that will be available both in-person or webinars through the agency learning management system: EEO Basics, Sexual Harassment Training, Reasonable Accommodations and Civility Workshop. The EEO Director also partnered with senior leadership and the Human Resource Office to identify mandatory training for staff responsible for recruiting and hiring.

**B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM**

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

Answer Yes

The agency has provided sufficient funding and other resources to successfully implement the disability program.

**Section III: Plan to Recruit and Hire Individuals with Disabilities**

Pursuant to 29 C.F.R. §1614.203(d)(1)(i) and (ii), agencies must establish a plan to increase the recruitment and hiring of individuals with disabilities. The questions below are designed to identify outcomes of the agency's recruitment program plan for PWD and PWTDD

**A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES**

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

In FY21, the Office of Human Resources identified the following goals for the recruitment of individuals with disabilities: • The EEO Director and the Office of Human Resources will develop the agency's strategic recruitment plan to ensure the incorporation of job applicants with disabilities; raise awareness and promote opportunities. • The Human Capital Manager will conduct outreach and increase awareness to Disability and Career Services Offices on college and university campus by educating students and recent graduates with disabilities regarding the employment opportunities and hiring flexibilities within the FMCS. • The Office of Human Resources will collaborate with national disability organizations and develop an agency talent database to increase the number of eligible Schedule A job-seekers. • The Office of Human Resource and the EEO Director will work with the Digital Media Strategist to develop a social media outreach program to promote opportunities for individuals with disabilities on the agency's Facebook page and website. • The Office of Human Resources will develop and maintain a talent database that includes individuals with disabilities who are eligible to be appointed under the hiring authority that takes disability into account. • The Office of Human Resources will encourage departments to use the talent database for qualified applicants with disabilities for vacant position and/or detail opportunities.

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

The Office of Human Resources (OHR) encourages managers to use Schedule A to fill vacant positions, whenever possible. For further assistance with special hiring authorities, hiring officials are encouraged to contact the OHR. The OHR, also, encourages eligible applicants to make their resumes searchable in USAJOBS by selecting eligibility for special hiring authorities. Applicants who have questions or would like to receive technical assistance on how to apply under Schedule A are provided FMCS centralized email address: [recruit@fmcs.gov](mailto:recruit@fmcs.gov).

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

If an individual has applied for appointment to vacancy under a hiring authority that takes disability into account, the Human Resource Specialist determines whether the individual is eligible for appointment under such authority by reviewing the applicant's schedule A documentation. If the applicant is eligible, the Human Resource Specialist forwards the candidate's application to the Human Capital Manager with an explanation of how and when the individual may be appointed, consistent with all applicable laws. The Human Capital Manager will conduct the qualifications analysis to determine eligibility. If the candidate is minimally qualified, the Human Capital Manager will forward the application to the hiring manager for consideration.

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

Answer No

In FY21, the OHR and the EEO Director will identify online trainings for all employees, including hiring managers, that increase awareness on the fundamentals of EEO/Diversity, Reasonable Accommodations, Harassments and Selective Placement and hiring authorities. In FY21, the OHR will provide a broad overview of the processes and procedures for requesting disability and reasonable accommodations as well as strategies for increasing the hiring and retention of persons with disabilities to all employees.

## **B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS**

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

In FY21, the OHR and the EEO Director will collaborate with colleges and universities nationwide to conduct information sessions with their students with disabilities. Additionally, the OHR and the EEO Director will establish contacts and partner with Vocational Rehabilitation Services to access how our Agency can reduce barriers and challenges in our hiring practices.

### C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

a. New Hires for Permanent Workforce (PWD) Answer No

b. New Hires for Permanent Workforce (PWTD) Answer No

No new hires for PWD were identified. No new hires for PWTD were identified.

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

a. New Hires for MCO (PWD) Answer N/A

b. New Hires for MCO (PWTD) Answer N/A

Applicant data was not available. For FY21, the EEO Director plans to discuss improving the data collection with OHR and NFC.

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

a. Qualified Applicants for MCO (PWD) Answer N/A

b. Qualified Applicants for MCO (PWTD) Answer N/A

Applicant data was not available for qualified internal applicants. For FY21, the EEO Director will collaborate with OHR to discuss improving data collection. .

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

a. Promotions for MCO (PWD) Answer N/A

b. Promotions for MCO (PWTD) Answer N/A

Data unavailable for for MCO promotion unavailable. For FY21, the EEO Director will collaborate with OHR to discuss improving data collection. .

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

Pursuant to 29 C.F.R. §1614.203(d)(1)(iii), agencies are required to provide sufficient advancement opportunities for employees with disabilities. Such activities might include specialized training and mentoring programs, career development opportunities, awards programs, promotions, and similar programs that address advancement. In this section, agencies should identify, and provide data on programs designed to ensure advancement opportunities for employees with disabilities.

### A. ADVANCEMENT PROGRAM PLAN

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

The agency’s reasonable accommodation procedures are posted on the agency’s public website. All job announcements are announced via USAJOBS with instructions on how to request an accommodation to apply for vacancies. In FY 2021, the EEO Director will continue to collaborate with OHR to conduct an agency-wide initiative to encourage employees to update their SF-256 form through EPP. The agency will take specific steps to ensure that current employees with disabilities have sufficient opportunities for advancement through continued education of employees and hiring managers via agency briefings, webinar series and training uploaded to the agency’s learning management system. The EEO Director will meet with the Chief Human Capitol Officer to assess the agency’s use of special hiring authorities and identify or develop training for hiring managers.

## B. CAREER DEVELOPMENT OPPORTUNITES

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

Although FMCS does not have a formal developmental training program, FMCS recognizes the critical importance of diversity and inclusion to the ultimate success of the Agency and is, therefore, committed to hiring from the most diverse, qualified applicant pool. To accomplish this, the agency continues to recruit and hire qualified developmental mediators. Developmental mediators may have relevant specialized experience and/or education, but who do not possess the experience or skills necessary to qualify for consideration as an entry level GS-13 mediator. Developmental mediators are recruited at GS-11 level and upon the individual's successful completion of the 2-year probationary period, the developmental mediator is promoted to GS-13. The agency also offers internal detail opportunities throughout the agency. The agency conducts an annual skills inventory survey to identify employees that would qualify for special projects within the agency.

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	0	0	0	0	0	0
Fellowship Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Coaching Programs	0	0	0	0	0	0
Training Programs	0	0	0	0	0	0
Detail Programs	0	0	0	0	0	0
Other Career Development Programs	0	0	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. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Applicants (PWD) Answer N/A  
 b. Selections (PWD) Answer N/A

The agency does not have any formal development programs.

4. Do triggers exist for PWTD among the applicants and/or selectees for any of the career development programs? (The appropriate benchmarks are the relevant applicant pool for the applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Applicants (PWTD) Answer N/A  
 b. Selections (PWTD) Answer N/A

The agency does not have any formal 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) Answer Yes  
 b. Awards, Bonuses, & Incentives (PWTD) Answer Yes

Using the inclusion rate, triggers were identified for the following awards for all cash awards categories from \$501 to \$3999. However, the average award amount for PWD and PWTD compared to individuals with a disability or not identified is relatively the same.

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

- a. Pay Increases (PWD) Answer No

b. Pay Increases (PWTD)

Answer No

No triggers identified.

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

a. Other Types of Recognition (PWD)

Answer N/A

b. Other Types of Recognition (PWTD)

Answer N/A

Not applicable.

### D. PROMOTIONS

1. Does your agency have a trigger involving PWD among the qualified internal applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. SES

i. Qualified Internal Applicants (PWD)

Answer N/A

ii. Internal Selections (PWD)

Answer N/A

b. Grade GS-15

i. Qualified Internal Applicants (PWD)

Answer N/A

ii. Internal Selections (PWD)

Answer N/A

c. Grade GS-14

i. Qualified Internal Applicants (PWD)

Answer N/A

ii. Internal Selections (PWD)

Answer N/A

d. Grade GS-13

i. Qualified Internal Applicants (PWD)

Answer N/A

ii. Internal Selections (PWD)

Answer N/A

Applicant data was not available for qualified internal applicants. Data is only available for internal selections. The EEO Office, in collaboration with the OHR, will develop a plan to address this deficiency in order fully respond to the MD-715 reporting requirement.

2. Does your agency have a trigger involving PWTD among the qualified internal applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. SES

i. Qualified Internal Applicants (PWTD)

Answer N/A

ii. Internal Selections (PWTD)

Answer N/A

b. Grade GS-15

i. Qualified Internal Applicants (PWTD)

Answer N/A

ii. Internal Selections (PWTD)

Answer N/A

c. Grade GS-14

i. Qualified Internal Applicants (PWTD)

Answer N/A

ii. Internal Selections (PWTD)

Answer N/A

d. Grade GS-13

i. Qualified Internal Applicants (PWTD)

Answer N/A

ii. Internal Selections (PWTD)

Answer N/A

Applicant data was not available for qualified internal applicants. Data is only available for internal selections. The EEO Office, in collaboration with the OHR, will develop a plan to address this deficiency, in order to fully respond to the MD-715 reporting requirements.

3. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- |                             |        |     |
|-----------------------------|--------|-----|
| a. New Hires to SES (PWD)   | Answer | N/A |
| b. New Hires to GS-15 (PWD) | Answer | N/A |
| c. New Hires to GS-14 (PWD) | Answer | N/A |
| d. New Hires to GS-13 (PWD) | Answer | N/A |

Applicant data was not available. The EEO Office, in collaboration with the OHR, will develop a plan to address this deficiency, in order to fully respond to the MD 715 reporting requirement.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- |                              |        |     |
|------------------------------|--------|-----|
| a. New Hires to SES (PWTD)   | Answer | N/A |
| b. New Hires to GS-15 (PWTD) | Answer | N/A |
| c. New Hires to GS-14 (PWTD) | Answer | N/A |
| d. New Hires to GS-13 (PWTD) | Answer | N/A |

Applicant data was not available. The EEO Office, in collaboration with the OHR, will develop a plan to address this deficiency, in order to fully respond to the MD 715 reporting requirement.

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

- |  |        |     |
|--|--------|-----|
| a. Executives                          |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |
| b. Managers                            |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |
| c. Supervisors                         |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |

Applicant data was not available. The EEO Office, in collaboration with OHR, will develop a plan to address this deficiency, in order to fully respond to the MD 715 reporting requirement.

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

- |   |        |     |
|---|--------|-----|
| a. Executives                           |        |     |
| i. Qualified Internal Applicants (PWTD) | Answer | N/A |
| ii. Internal Selections (PWTD)          | Answer | N/A |
| b. Managers                             |        |     |
| i. Qualified Internal Applicants (PWTD) | Answer | N/A |
| ii. Internal Selections (PWTD)          | Answer | N/A |
| c. Supervisors                          |        |     |
| i. Qualified Internal Applicants (PWTD) | Answer | N/A |
| ii. Internal Selections (PWTD)          | Answer | N/A |



Applicant data was not available in FY 2019. Data is only available for applicants selected pool. The EEO Office, in collaboration with the OHR, will develop a plan to address this deficiency, in order to fully respond to the MD 715 reporting requirements.

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

- |                                    |        |     |
|------------------------------------|--------|-----|
| a. New Hires for Executives (PWD)  | Answer | N/A |
| b. New Hires for Managers (PWD)    | Answer | N/A |
| c. New Hires for Supervisors (PWD) | Answer | N/A |

Applicant data was not available in FY 2019. Data is only available for applicants selected pool. The EEO Office, in collaboration with the OHR, will develop a plan to address this deficiency, in order to fully respond to the MD 715 reporting requirements. .

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

- |                                     |        |     |
|-------------------------------------|--------|-----|
| a. New Hires for Executives (PWTD)  | Answer | N/A |
| b. New Hires for Managers (PWTD)    | Answer | N/A |
| c. New Hires for Supervisors (PWTD) | Answer | N/A |

Applicant data was not available in FY 2019. Data is only available for selectees. The EEO Office, in collaboration with the OHR, will develop a plan to address this deficiency, in order to fully respond to the MD 715 reporting requirements.

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

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

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer N/A

In the FY 2020 reporting period, the agency did not have any eligible Schedule A employees with a disability to convert into the competitive service after two years of satisfactory services.

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

- |                                  |        |    |
|----------------------------------|--------|----|
| a. Voluntary Separations (PWD)   | Answer | No |
| b. Involuntary Separations (PWD) | Answer | No |

The % of voluntary involuntary separations for PWD did not exceed those without disabilities.

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

- |                                   |        |    |
|-----------------------------------|--------|----|
| a. Voluntary Separations (PWTD)   | Answer | No |
| b. Involuntary Separations (PWTD) | Answer | No |

The % of voluntary and involuntary separations for PWTD did not exceed those without targeted disabilities.

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.

The agency does not conduct exit interviews nor are there any other data sources, which would provide this information. The EEO Director, in collaboration with the OHR, will develop a plan to integrate exit interviews and other data sources to assess this trigger.

## **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.

<https://www.fmcs.gov/section-508/> The EEO Director is developing a proposed notice describing how to file a complaint under Section 508 and it will be available in FY 2021.

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.

<https://www.fmcs.gov/section-508/> The EEO Director is developing a proposed notice describing how to file a complaint under the Architectural Barrier Act.

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.

In FY 2021, the agency established a diversity and inclusion committee, in collaboration with the EEO Director. The EEO Director will use this committee as a mechanism to monitor, update and provide guidance on web content and architecture barriers. The diversity and inclusion committee meet regularly to address specific regulatory requirements and implementation concerns.

## **C. REASONABLE ACCOMMODATION PROGRAM**

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

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

For FY 2021, the average processing time for initial request was 7 days. The reasonable accommodation coordinator reported receiving and processing 2 requests for reasonable accommodations.

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.

Reasonable accommodation requests that are received are approved or denied within 15 calendar days. To date, there has not been an EEO complaint filed for discriminatory violations for the reasonable accommodation program.

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

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

Describe the effectiveness of the policies, procedures, or practices to implement the PAS requirement. Some examples of an effective program include timely processing requests for PAS, timely providing approved services, conducting training for managers and supervisors, and monitoring PAS requests for trends.

In FY2021, the agency was unable to assess the effectiveness of the policies, procedures, or practices to implement the PAS requirement because the agency did not receive any PAS requests.

## **Section VI: EEO Complaint and Findings Data**

### **A. EEO COMPLAINT DATA INVOLVING HARASSMENT**

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

Answer No

2. During the last fiscal year, did any complaints alleging harassment based on disability status result in a finding of discrimination or a settlement agreement?

Answer No

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

The Agency did not have any findings of discrimination alleging harassment based on disability status during the last fiscal year.

## B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer No

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

Answer No

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

The Agency did not have any findings of discrimination alleging harassment based on disability status during the last fiscal year.

## Section VII: Identification and Removal of Barriers

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

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

Answer No

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

Answer No

3. Identify each trigger and plan to remove the barrier(s), including the identified barrier(s), objective(s), responsible official(s), planned activities, and, where applicable, accomplishments

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

#1 FY 2020 Planned Activity: Establish retention and possibly exit interview surveys to determine root cause for increased separation rates. #2 FY 2020 Planned Activity: Review the workforce data collection process and establish a plan to address deficiencies. #3 FY 2020 Planned Activity: Integrate EEO and diversity/inclusion principles to the Agency's strategic plan. Due to loss of key personnel and budgetary constraints, the EEO Office has not been able to sufficiently address activities #1 - #3.

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

In FY 2020, the EEO Director reviewed EEO policies and procedures and updated the agency's website to be in compliance with EEO regulations and laws. The EEO Office will continue to monitor the EEO program for compliance and establish and implement action plans to remove identified barriers.

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.

FMCS will continue implementing the strategies and addressing deficiencies identified in this year's Affirmative Action Plan. The EEO Director will meet with senior leadership to address discuss the identified deficiencies and potentially reallocating resources to help FMCS achieve being a model EEO program.