

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

PART A Department or Agency Identifying Information	1. Agency	1. Railroad Retirement Board
	1.a 2nd level reporting component	N/A
	2. Address	2. 844 N. Rush Street
	3. City, State, Zip Code	3. Chicago, IL 60611
	4. Agency Code 5. FIPS code(s)	4. RR00 5. 17

PART B Total Employment	1. Enter total number of permanent full-time and part-time employees	1. 745
	2. Enter total number of temporary employees	2. 16
	3. TOTAL EMPLOYMENT [add lines B 1 through 2]	4. 761

PART C Agency Official(s) Responsible For Oversight of EEO Program(s)	Title Type	Name	Title
	Head of Agency	Erhard R. Chorlé	Chairman of the Board
	Head of Agency	John Bragg	Labor Member of the Board
	Head of Agency	Thomas R. Jayne	Management Member of the Board
	Principal EEO Director/Official	Shiri Ndang	Director of Equal Opportunity
	Other EEO Staff	Kathy Robinson	EEO Specialist

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PART D List of Subordinate Components Covered in This Report	Subordinate Component and Location (City/State)	Country	Agency Code
EEOC FORMS and Documents	Required	Uploaded	
Reasonable Accommodation Procedure	Y	Y	
Anti-Harassment Policy and Procedures	Y	Y	
Organization Chart	Y	Y	
EEO Policy Statement	Y	Y	
Agency Strategic Plan	Y	Y	
Alternative Dispute Resolution Procedures	Y	Y	
Personal Assistance Services Procedures	Y	Y	
Human Capital Strategic Plan	N	N	
EEO Strategic Plan	N	N	
Disabled Veterans Affirmative Action Program (DVAAP) Report	N	N	
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	N	N	
Diversity Policy Statement	N	N	
Federal Equal Opportunity Recruitment Program (FEORP) Report	N	N	

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EXECUTIVE SUMMARY: MISSION

Overview

This Equal Employment Opportunity (EEO) Program Status Report for Fiscal Year (FY) 2022 is prepared and submitted pursuant to the Equal Employment Opportunity Commission's Management Directive 715 (MD-715) and accompanying instructions and guidance. MD-715 provides a roadmap for creating effective EEO programs for all federal employees as required by Title VII and the Rehabilitation Act. The stated objective of MD-715 is to ensure that all employees and applicants for employment enjoy equality of opportunity in the federal workplace, regardless of race, sex, national origin, color, religion, disability, or reprisal for engaging in prior protected activity. Additionally, the EEOC seeks to ensure the same opportunities to all groups regardless of age, genetic information, pregnancy, or other prohibited bases.

MD-715 requires agencies to take appropriate steps to ensure that all employment decisions are free from discrimination. It sets forth standards by which the Agency's EEO programs will be reviewed by the EEOC, including, but not limited to, the requirement that agencies conduct periodic self-assessments and barrier analysis to identify and remove barriers which may preclude access to equal employment opportunities in the workplace. This report highlights accomplishments by the Railroad Retirement Board (RRB or the Agency) in FY 2022 in continuing to establish and solidify its EEO Program.

This report also identifies areas where the RRB will take further actions to enhance its EEO Program. As required by the EEOC, this report was completed utilizing data compiled at the end of fiscal year FY 2022 and covers the period from October 1, 2021, through September 30, 2022. The workforce data utilized includes permanent employees and was obtained from the Agency's Bureau of Human Resources.

Mission of the Railroad Retirement Board

The Railroad Retirement Board (RRB) is an independent agency in the Executive Branch of the Federal Government. Its mission is to administer retirement/survivor and unemployment/sickness insurance benefit programs for the railroad workers and their families under the Railroad Retirement Act and the Railroad Unemployment Insurance Act. These programs provide income protection during senior age and in the event of disability, death or temporary unemployment and sickness. The RRB also administers aspects of the Medicare program and has administrative responsibilities under the Social Security Act and the Internal Revenue Code.

The RRB is the only Federal Agency headquartered in Chicago, Illinois. Of the 761 employees, approximately 257 employees work in 53 district offices located throughout the United States with the remainder of our employees in Chicago, Illinois.

The work we do affects the lives of over half a million people who receive various types of benefits from the agency. In response to changing national demographics, the RRB is positioning itself to better meet the needs of the 21st century by becoming an employer of choice in the Federal government, regardless of race, sex (including pregnancy, sexual orientation, and gender identity), age, color, national origin, disability, religion, and genetic information. This will not only infuse the RRB with the best and the brightest employees available, but it will also improve our ability to understand and appreciate each other, while serving an increasingly diverse railroad community.

RRB is achieving its mission and vision through data-driven analysis, innovative use of technology, flexible work arrangements, valuing great teamwork and top talent. RRB strives to recruit and retain a highly qualified and diverse workforce to carry out this mission. RRB is using data purposefully to support informed decision-making in all internal and external functions. RRB strives to be an innovative, 21st century agency in its approach to technology. Finally, RRB invests in world-class training, development, and support to create an environment that encourages employees at all levels to tackle complex challenges.

To accomplish these goals, RRB is divided into eight Divisions:

- Bureau of the Actuary and Research
- Bureau of Field Service (FS)
- Bureau of Fiscal Operations (BFO)
- Bureau of Information Services (BIS)
- Office of Administration (OA)
- Office of General Counsel (OGC)
- Office of Programs (OP)
- Office of Equal Opportunity (OEO)

Office of Equal Opportunity (OEO)

The Office of Equal Opportunity (OEO) works to ensure that RRB complies with all federal EEO laws and related civil rights protections; provides a neutral forum for the discussion, investigation, and resolution of certain EEO matters; and strives to integrate EEO into RRB's everyday work. OEO also works to empower employees to participate constructively to their fullest potential in support of RRB's mission.

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OEO endeavors to ensure that RRB reflects the rich diversity of the nation and provides a full and fair opportunity for all employees and applicants, and that RRB employees have the working environment that will support them in their efforts to protect consumers.

Among other services, OEO provides policy and technical advice on EEO and civil rights to the Board and senior leadership and manages the Agency's EEO complaint process pursuant to 29 C.F.R. Part 1614. OEO works to ensure the EEOC's six essential elements of a model EEO Program are incorporated into the fabric of the Agency, thus supporting the goal of maintaining a discrimination-free workplace for all.

The Director of OEO reports directly to the 3-member Board. OEO emphasizes and maintains its neutrality and impartiality, which is critical to having an efficient and fair EEO complaint resolution process. This ensures that employees and managers know that the pre-complaint and investigation stages of the Part 1614 process are not adversarial, that OEO will provide a neutral and impartial factual record, and that, when requested, OEO will issue a final decision assessing the facts and law to determine whether or not one or more of the applicable employment discrimination laws have been violated.

The OEO Director exercises full authority to carry out the Part 1614 functions of OEO without the involvement of the agency's Legal Component (i.e., General Counsel), thus ensuring impartiality and removing any possible conflict of interest. Legal resources within OEO make this possible (i.e., the OEO Director is an Attorney). OEO staff, sometimes with the assistance of contractors, conducts legal sufficiency reviews of EEO matters, which includes issuing accept/dismiss decisions addressing jurisdiction over and scope of claims set forth in formal complaints, Reports of Investigations (ROIs), and Final Agency Decisions (FADs). The Office of General Counsel (OGC), which defends the RRB in these matters, is firewalled from all activities within OEO and only participates during adversarial portions of the EEO process (hearings and appeals), and during settlement negotiations, or to provide appropriate legal advice or assistance when a manager or supervisor requests it during the course of an EEO investigation. All other RRB offices are similarly firewalled and kept separate as necessary and appropriate to avoid conflicting or competing interests.

At the same time, while OEO maintains primary responsibility for the Agency's overall EEO program, it collaborates extensively with both Board staff and the RRB's Office of Administration (OA) to ensure fairness and equality under the law for all employees and applicants for employment. OEO cooperates with the Office of Administration, in particular, regarding the reasonable accommodation processing and anti-harassment prevention programs OA administers. OEO maximizes appropriate partnerships with Bureau leadership, Executive management, diversity committees (such as the Agency's Employees with Disabilities Advisory Council, Federal Women's Program Committee, and the Workplace Diversity Committee), and Employee Resource Groups (e.g., American Legion), to achieve OEO's and the RRB's mission and vision.

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

Equality of opportunity to participate and advance in the federal workforce is paramount to achieving the federal government's goal of becoming a model employer.

Throughout FY 2022, RRB made significant strides in developing a model EEO Program by conducting self assessments pursuant to MD-715. RRB also implemented various action items delineated in its FY 2021 Program Status Report. The Agency incorporated each of the six Essential Elements for a model EEO program outlined in MD-715:

- Demonstrated commitment from Agency leadership;
- Integration of EEO into the Agency's strategic mission;
- Management and program accountability;
- Proactive prevention of unlawful discrimination;
- Efficiency; and
- Responsiveness and legal compliance.

Essential Element A: Demonstrated Commitment from Agency Leadership

Management Directive 715 requires agency heads and other senior management officials to demonstrate a firm commitment to equality of opportunity for all employees and applicants for employment.

According to MD-715:

Agencies must translate equal opportunity into everyday practice and make those principles a fundamental part of agency culture. This commitment to equal opportunity must be embraced by agency leadership and communicated through the ranks from the top down. It is the responsibility of each agency head to take such measures as may be necessary to incorporate the principles of equal employment opportunity into the agency's organizational structure. To this end, agency heads must issue a written policy statement expressing their commitment to equal employment opportunity (EEO) and a workplace free of discriminatory harassment.

During FY 2022, RRB demonstrated its commitment to ensuring that talented and diverse staff have equal employment opportunities and are treated fairly and with respect. RRB is dedicated to maintaining a workplace that promotes professionalism and productivity, respects the dignity of all, and embraces education of employees about their EEO rights and responsibilities.

Further demonstrating commitment from RRB leadership, the Board ensures that all EEO policy statements are timely and current. Every year, the Agency reissues EEO policy/antiharassment statements. The 3-member board issued the most recent EEO policy/anti-harassment statement in May 2022, reaffirming the Agency's zero tolerance for workplace discrimination, harassment, or retaliation. The Office of Equal Opportunity also updated the agency's public website (which is available to all RRB employees, former employees, and applicants) in March 2022 to include No FEAR Act information and notices.

RRB provides all new employees with the No FEAR Act notice, the EEO policy/antiharassment statement, and other relevant policies during orientation/onboarding and provides them again to all employees promoted to supervisory ranks. These policy statements affirm that the Board Members, Executive Committee Members, the OEO Director, RRB managers, and front-line supervisors will uphold and enforce EEO and merit system principles. The EEO policy statement and No FEAR Act notice make it clear that equal employment opportunities exist for all employees and applicants for employment, regardless of their race, color, religion, sex (including pregnancy, sexual orientation, gender identity or expression), national origin, age, disability, genetic information, prior protected EEO-related activity, and/or whistleblower activity.

Further, the Board and senior leadership have publicly demonstrated commitment to the EEO program in additional ways. In FY 2022, the Board Members included the OEO Director in Board briefings and meetings, reflecting their recognition of the importance of this role to the Agency's diversity and inclusion and EEO compliance efforts. Board Staff and the Senior Executive Officer (SEO) also met monthly with the OEO Director to stay apprised of important EEO-related developments and trends. The Senior Executive Officer also participated and provided feedback on the Agency's special emphasis observance activities.

These are just a few examples of the many actions agency leaders have taken to demonstrate their strong personal commitment to guaranteeing equal employment opportunities for all employees.

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Essential Element B: Integration of EEO into Agency's strategic mission

Management Directive 715 notes that equality of opportunity is essential to attracting, developing, and retaining the most qualified workforce to support an agency's achievement of its strategic mission. To this end, under MD-715 (and in addition to the regulatory requirements found at 29 C.F.R. § 1614.102(b)(4), as interpreted in Management Directive 110) the RRB must:

- Maintain a reporting structure that provides the Agency's EEO Director with regular access to the Agency head and other senior management officials for reporting on the effectiveness, efficiency, and legal compliance of the Agency's Title VII and Rehabilitation Act programs. To emphasize the importance of the position, the Agency head should be involved in the selection and performance review of the EEO Director.
- Ensure EEO professionals are involved with, and consulted on, the management and deployment of human resources. The EEO Director should be a regular participant in senior staff meetings and regularly consulted on human resources issues.
- Allocate sufficient resources to create and/or maintain Title VII and Rehabilitation Act programs that (1) identify and eliminate barriers that impair the ability of individuals to compete in the workplace because of race, national origin, sex, or disability; (2) establish and maintain training and education programs designed to provide maximum opportunity for all employees to advance; and (3) ensure that unlawful discrimination in the workplace is promptly corrected and addressed.
- Attract, develop, and retain EEO staff with the strategic competencies necessary to accomplish the Agency's EEO mission, and interface with Agency officials, managers, and employees.
- Recruit, hire, develop, and retain supervisors and managers who have effective managerial, communications, and interpersonal skills. Provide managers and supervisors with appropriate training and other resources to understand and successfully discharge their duties and responsibilities.
- Involve managers and employees in the implementation of the Agency's Title VII and Rehabilitation Act programs.
- Use various media to distribute EEO information concerning federal EEO laws, regulations and requirements, rights, duties, and responsibilities and to promote best workplace practices.

These aspects of integrating EEO into the Agency's strategic mission are discussed in greater detail below.

Reporting structure

RRB's reporting structure allows the OEO Director to have direct and regular access to Board members and their staff. OEO's physical space is located on the same floor in Headquarters as the Board Offices. The OEO Director reports directly to the 3-member board. This reporting structure allows the EEO program to be run efficiently and effectively. Critically, this reporting structure provides the OEO Director with the autonomy and authority needed to carry out a successful EEO Program while also leveraging synergies between the work of OEO and the Executive Committee.

The major duties and responsibilities of the OEO Director are clearly defined and include developing, implementing, and managing comprehensive, broad-scope RRB EEO policies, programs, and services. The OEO Director also serves as the principal technical advisor to the Board Members and to the Agency's leadership on EEO and civil rights issues and policies, and is readily available for consultation purposes.

Further, the OEO Director has access to other senior management officials for reporting on the effectiveness, efficiency, and legal compliance of the Agency's EEO program. In FY 2022, the OEO Director met monthly with the Senior Executive Officer (SEO) and has continued these monthly meetings with his successor (Chief of the Executive Committee).

Collaboration

To ensure integration of EEO into the Agency's strategic mission, the OEO Director collaborates closely with the Office of Administration (OA) the Bureau of Human Resources (HR), as well as other stakeholders (e.g., Bureau of Information Services) across RRB. Positive working relationships have been established that support information-sharing and best practices among the offices. The Director of Human Resources and OEO Director meet to discuss whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC regulations, Management Directives, and other guidance. Further, Office of Administration (OA) and Board staff confer with OEO for advice and consultation for guidance on diversity outreach strategy and approach, training curriculum and goals, and operational improvements that support compliance and diversity before making decisions. For instance, OEO has:

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- Continued to participate in the RRB's efforts to implement the agency's Diversity, Equity, Inclusion and Accessibility (DEIA) Plan. This plan outlines RRB's affirmative employment and diversity and inclusion goals and priorities, and the specific actions that will support them.
- Continued to collaborate with the Chief Learning Officer to enhance supervisory and employee training offered by Bureau of Human Resources on RRB University, to ensure that EEO compliance, diversity and inclusion concepts are addressed in New Employee Orientation, supervisory development and leadership excellence seminars, performance management training, etc.
- Continued to work with the Bureau of Human Resources to encourage the staff to maintain relationships with, and outreach to, professional organizations that represent Veterans, Disabled Veterans, and other minority constituencies. This includes posting vacancies on bulletin boards geared to these groups of professionals.
- Partnered with the Bureau of Human Resources to revise and reinstitute the agency's use of an exit survey to examine employee perceptions of the organization across demographic groups.
- Continued to be an active participant on the Agency's Equity Team.
- Partnered and advised on the development and implementation of the Agency's reinstated EEO Awards and Recognition program, established to recognize RRB employees and groups for their exceptional efforts in promoting equal employment opportunity in the workplace.

Resources for the EEO program

The agency is fully compliant with the 29 CFR § 1614.102(a)(1), which requires the agency's EEO office to have a budget that is separate from other offices within the agency. During FY 2022, the Agency allocated additional resources OEO requested to enhance and ensure that the EEO Program remains successful and operates in an effective manner. This has proved vital to ensuring integration of EEO into the Agency's strategic mission.

During FY 2022, OEO secured approval to hire a consulting firm to perform DEIA workforce trend and other data analyses, such as identifying triggers and barriers to EEO agencywide. In addition, OEO procured approval to hire a Pathways intern (EEO Student Trainee) to assist in maintaining and enhancing the quality and timeliness of all aspects of the Part 1614 complaint process.

OEO also has resources available through staff, ad hoc EEO counselors and contractors to ensure that allegations of unlawful discrimination in the workplace are processed in accordance with 29 C.F.R. Part 1614 requirements.

Finally, RRB has allocated financial resources to create and/or maintain necessary Title VII and Rehabilitation Act programs.

Attracting, developing, and retaining EEO staff

One vital element to ensuring that EEO is integrated into the mission of the Agency is to attract, train, and keep well-qualified staff within OEO. During FY 2022, the Board hired an OEO Director who had previously worked at EEOC and is a licensed attorney. As also mentioned above, in FY 2022 OEO was allocated additional resources to address critical programmatic needs, such as barrier analysis and accurate EEO data collection. During FY 2022, OEO retained both of its permanent, full-time staff members.

OEO staff has also received training to maintain the competencies necessary to accomplish RRB's EEO functions and mission. Some of these trainings involve personnel from other Board divisions, such as HR and OGC, presenting excellent opportunities for knowledge-sharing and collaboration across the Agency.

Recruiting, hiring, developing, and retaining supervisors and managers

To ensure the Agency integrates EEO into its daily mission, RRB works to hire, develop, and retain supervisors and managers who have effective managerial, communication, and interpersonal skills to supervise most effectively in a workplace with diverse employees and to avoid disputes arising from ineffective communications. One of RRB's top diversity and inclusion goals is to recruit talent from a diverse group of potential applicants to develop a high performing workforce drawn from all segments of American society. Each year, Board staff and Executive Committee Members, in consultation with the Bureau of Human Resources (HR), collaborate to develop a critical hire list. HR has focused on utilizing online platforms and organizations that best align with RRB's hiring needs. To develop and retain managers and supervisors, the Agency provides appropriate and critical training. This helps ensure RRB managers and supervisors have – and feel properly equipped with – the skills and competencies needed to fulfill their responsibilities and duties under the Agency's EEO program, as well as the ability to properly supervise a diverse staff of employees.

Distributing EEO information

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The RRB uses various media and other innovative means to distribute EEO information. These efforts assist in ensuring that EEO is integrated into the Agency's strategic mission and crucial EEO-related information is readily accessible at all times.

The Agency publicizes EEO events and activities to all employees through email announcements, notices on the Agency's internal (intranet) page, and on posters in RRB offices.

Further, the OEO internal (intranet) page on Boardwalk is an excellent resource for individuals wanting information about the EEO process. The OEO internal (intranet) page clearly describes the Part 1614 process, contains links to all pertinent policies and procedures, that is updated and augmented routinely. The OEO internal (intranet) page also contains contact and location information for OEO, including contact information for all OEO staff, to ensure that employees can easily seek OEO's assistance in person or virtually.

In FY 2022, informational materials and forms were updated and made available to employees (and to the public) in electronic format via the agency's internal and external-facing web presences. The OEO public-facing webpages provide detailed information regarding the EEO complaint process (to include explicit notification of the 45-calendar day requirement for entry into the EEO complaint process); agency workforce statistics; copies of mandated annual and quarterly reports; EEO training resource information; information regarding Section 508 and Architectural Barriers Act noncompliance complaints processes; a detailed overview of the agency's Alternative Dispute Resolution Program; and information regarding the agency's Reasonable Accommodation Program and Personal Assistance Services. Hard copies of updated EEO Program posters remained posted within prominent areas at all RRB locations.

Additionally, the OEO Director ensured EEO principles remained ingrained within the agency's strategic mission, ensuring all employees received important EEO-relevant information via the EEO "Working Together" Quarterly Newsletter, which is emailed to every RRB employee. During FY 2022, OEO ensured inclusion of newsletter articles and information with specific regard to diversity, equity, inclusion, accessibility; acceptable and unacceptable employee conduct in the workplace, and supervisors' responsibility to address unacceptable behavior; Alternative Dispute Resolution and mediation; identification and addressing acts of workplace bullying; Sexual Harassment prevention and response; and Reasonable Accommodation.

The Agency has an active Special Emphasis Program, which is a joint effort by OEO, Employees with Disabilities Advisory Council (EDAC), Federal Women's Program Committee (FWPC) and the Workplace Diversity Committee (WDC) whose role is to advocate and address the concerns of employees.

OEO also conducts, collaborates in presenting, and/or sponsors numerous virtual trainings, as well.

Essential Element C: Management and Program Accountability

Management Directive 715 explains that a model Title VII and Rehabilitation Act program will hold managers, supervisors, EEO officials, and personnel officers accountable for the effective implementation and management of an agency's EEO program. Per MD-715, in ensuring such accountability, the RRB must:

- Conduct regular internal audits, on at least an annual basis, to assess the effectiveness and efficiency of the Title VII and Rehabilitation Act programs and to ascertain whether the Agency has made a good faith effort to identify and remove barriers to equality of opportunity in the workplace.
- Establish procedures to prevent all forms of discrimination, including harassment, retaliation, and failure to provide reasonable accommodation to qualified individuals with disabilities.
- Evaluate managers and supervisors on efforts to ensure equality of opportunity for all employees.
- Maintain clearly defined, well-communicated, consistently applied, and fairly implemented personnel policies, selection, and promotion procedures, evaluation procedures, rules of conduct, and training systems.
- Implement effective reasonable accommodation procedures that comply with applicable executive orders, EEOC guidance, the Architectural Barriers Act, the Access Board's Uniform Federal Accessibility Standards and Electronic, and Information Technology Accessibility Standards.
- Be mindful of the Agency's disability program obligations, including the provision of reasonable accommodations, when negotiating collective bargaining agreements with recognized labor organization(s) representing Agency employees.
- Ensure effective coordination between the Agency's EEO programs and related human resource programs, including the Federal Equal Opportunity Recruitment Program (FEORP), the Selective Placement Programs, and the Disabled Veterans Affirmative Action Program (DVAAP).
- Review each finding of discrimination to determine the appropriateness of taking disciplinary action against Agency officials involved in the matter. Track these decisions and report trends, issues, and problems to Agency leadership for appropriate action.

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- Ensure compliance 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.

Audits and Reviews of RRB programs

RRB uses internal audits and assessments (among other methods) to ensure management and program accountability. In FY 2022, RRB conducted or was involved in various audits and reviews of its EEO program to ascertain whether the Agency has made a good faith effort to identify and remove barriers to equal opportunities in the workplace and promote diversity and inclusion Agency-wide.

Most notably, as part of the EEOC's oversight responsibility for federal agency EEO programs and per the EEOC's Federal Sector Complement Plan (FCP), the EEOC's Office of Federal Operations (OFO) conducts technical assistance visits to various federal agencies each year. For FY 2022, RRB was one of the several agencies EEOC selected for a technical assistance visit. On February 3, 2022, OFO staff met with OEO staff to review the status of RRB's EEO program with respect to its: (1) EEO Director's Participation in Senior-Level Meetings; (2) Employee and Manager Recognition for EEO Accomplishments; (3) Exit Interview Data Collection; (4) Timetables to review agency programs for systemic barriers analysis; (5) Workforce and Applicant Flow Data; and (6) Model Disability Program compliance. In a letter to the OEO Director and Chair of the Board dated August 1, 2022, the EEOC stated (among other things):

- We commend RRB for using innovative techniques to provide training for its employees. The agency established a training portal ("RRB University"), which offers a roadmap to success for managers, supervisors, and HR personnel regarding hiring and retaining employees. The portal also includes nearly 9,000 skill soft courses for agency employees to obtain training.
- In Part G, Question B.1.d of its FY 2020 MD-715 report, RRB acknowledged that the EEO Director does not regularly participate in senior-level staff meetings. The agency established a plan in Part H.2 to address this deficiency by January 31, 2021. In response to our Notice Letter, RRB stated the agency is currently working on a plan of action for the EEO Director to attend Board meetings as well as have a recurring bi-weekly meeting with the agency's Senior Executive Officer (SEO) to discuss agency operations and policy issues. As a result, the EEO Director has recurring bi-weekly meetings with the Senior Executive Officer (SEO) and weekly meetings with the Senior Executive Committee Members to discuss personnel, budget, technology, and other workforce issues. We commend RRB for demonstrating meaningful progress towards correcting this deficiency and look forward to reviewing the agency's continued progress in the next MD-715 report.
- In Part G, Question A.3.a of its FY 2020 MD-715 report, RRB acknowledged that the agency does not recognize staff for superior EEO accomplishments. In Part H.1, RRB established a plan to correct this deficiency by December 15, 2022. The objective of the plan is to include an EEO element in the performance appraisals of employees and managers. Since the only planned activity addresses the addition of a sub-element in managers' performance appraisals, we request that the agency clarify whether employees will also have an EEO element in their performance appraisal. Nevertheless, we are pleased to note that in FY 2021, RRB added EEO language as a sub-element in managers' appraisals and intends to share the appraisal "write-ups" showing superior accomplishments with the EEO office. During our meeting, RRB also stated that the Awards Policy has been updated to include two EEO Recognition Awards. Currently, the EEO Director, the Senior Executive Leader, and Director of Human Resources are working to implement the policy. We look forward to reviewing RRB's continued progress toward correcting this deficiency in its next MD-715 report.
- In Part G, Question C.4.b of its FY 2020 MD-715 report, RRB acknowledged that the agency has not established timetables to review its Merit Promotion, Employee Recognition/Awards, and Employee Development/Training programs. Although RRB created a plan in Part H.3 to address this deficiency by October 1, 2023, the agency did not include any planned activities. In response to our Notice Letter, RRB stated the agency intends to provide its EEO staff with training on MD-715 and Barrier Analysis, so they can identify systemic barriers in policies. We expect RRB to revise Part H by including planned activities to ensure EEO staff receives barrier analysis training and to establish a schedule to review its programs.
- Each federal agency must "provide sufficient resources to its equal employment opportunity program to ensure efficient and successful operation." 29 C.F.R. § 1614.102 (a)(1). Applicant flow data is an essential tool in evaluating where barriers may exist within the agency. Part G, Question B.4.a.7 of the FY 2018 MD-715 report establishes that all agencies, regardless of size, must collect accurate and complete applicant flow data for (1) new hires, (2) internal promotions, and (3) participation in the career development program. In Part G, Questions E.4.a.2 and E.4.a.4 of its FY 2020 MD-715 report, RRB stated that the agency collects the required demographic and applicant flow data. However, after reviewing the agency's FY 2020 workforce data tables, we found that the tables do not include the required data. We expect RRB to establish a plan to correct this deficiency in Part H of its next MD-715 report.
- In Part G, Question D.1.c of its FY 2020 MD-715 report, RRB acknowledged the agency does not conduct exit interviews that include the disability-related questions. The agency commented that the HR office discontinued exit interviews due to the lack of staffing. The agency established a plan in Part H.4, requiring the EEO office to meet with the Director of HR about re-establishing exit surveys by October 1, 2022. In response to our Notice Letter, RRB advised that the exit interview survey went live via Microsoft Forms and two departing employees have completed the survey online. We remind the agency that the exit interview survey must include questions on how the agency could improve the recruitment, hiring, inclusion, retention, and advancement of employees with disabilities. We expect RRB to revise the objective and planned activities so the agency will ensure the disability-related questions are added to its exit interview survey.

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- After reviewing RRB's FY 2020 [Affirmative Action Plan], EEOC has determined that the agency has satisfied all three minimum requirements: (1) issued compliant reasonable accommodation procedures; (2) posted personal assistance services procedures on its public website; and (3) established regulatory goals for people with disabilities (PWD) and people with targeted disabilities (PWTD).
- As part of the agencies' obligation to engage in affirmative action, EEOC amended its regulations implementing Section 501 of the Rehabilitation Act of 1973 to require agencies to provide personal assistance services (PAS). Personal assistance services helps individuals who, because of targeted disabilities, require assistance to perform basic activities of daily living (e.g., eating and using the restroom), but the services are not related to their job performance. Pursuant to 29 C.F.R. 1614.203(d)(5)(v), agencies must adopt and post their PAS procedures on their public website by January 3, 2018. Our records show that RRB has posted PAS procedures on its public website. We thank RRB for complying with this requirement.
- EEOC regulation, 29 C.F.R. § 1614.203(d)(7)(i), requires agencies to adopt the goals of achieving a 12% representation rate for people with disabilities (PWD) at the GS-11 and above (including SES) and at the GS-10 level and below. Using the same grade level clusters, agencies must also adopt goals for individuals with targeted disabilities (PWTD) to reach 2%. Only permanent, full-time, non-seasonal employees count toward the goals. A review of RRB's Affirmative Action Plan (AAP) shows that the agency established the goals for PWD and PWTD in the two grade level clusters. We commend RRB for implementing these goals for PWD and PWTD.
- In FY 2020, RRB established a plan to gradually increase the number of PWD and PTWD by communicating the numerical goals to hiring officials through its *Plan for Increasing and Maintaining the Employment of Individuals with Disabilities*. This plan was shared with the Executive Committee who disseminated it to their staff with hiring authority. We are also pleased to note that RRB has provided its vacancy announcements to organizations that assist people with disabilities in seeking employment. To meet all of the regulatory goals, we urge RRB to expand its plan to include (1) conducting additional outreach and recruitment efforts for PWTD in the senior grade levels, (2) offering training, internship, and mentoring programs for PWTD to reach the senior grade levels, and (3) providing disability-related training to its managers and employees. We look forward to reviewing the agency's progress in its next AAP.
- We commend RRB for ensuring that its disability program has sufficient funding and training. Although RRB stated the disability program has sufficient qualified staffing, the agency did not identify staff who are responsible for processing applications from PWD and PWTD. We commend the agency's HR office for designating a HR Specialist to assist in contacting different organizations that assist PWD in seeking employment. In its next AAP, we expect RRB to demonstrate continued progress toward fully staffing its disability program.
- According to its FY 2020 AAP, RRB has developed a comprehensive plan that uses different programs and resources to identify and hire job applicants with disabilities, including those with targeted disabilities. We recognize that the Railroad Retirement Act requires RRB to fill positions through the competitive service, which prevents the agency from using the hiring authorities that take disability into account. To improve its recruitment of PWD and PWTD, RRB has established and maintained contacts with 11 organizations that assist PWD and PWTD. These organizations include the Chicago Lighthouse, Aspire Non-Profit, Trinity Services, Inc., Search, Inc., Goodwill Chicago, America Works, the City of Chicago's Department of Human Services, Independent Living and Transition Advocate Progress Center, and Southwest American Job Center. After securing a contact person at each organization, RRB sends its vacancy notices to the organizations for disbursement to their clients. We are also pleased to note that the agency's Employees with Disabilities Advisory Council assists in finding organizations that assist people with disabilities. We look forward to reviewing RRB's continued progress in recruiting and hiring PWD and PWTD.
- All agencies must establish a comprehensive retention strategy for its employees with disabilities. Pursuant to 29 C.F.R. § 1614.203(d)(4), federal agencies are required to inform job applicants and employees of their rights concerning the accessibility of agency technology and facilities. See Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(b); Architectural Barriers Act of 1968 (ABA), 42 U.S.C. § 4151 – 4157. Since RRB has posted the ABA and Section 508 notices on its public website, we commend the agency for complying with this requirement.
- After reviewing RRB's AAP, we noted that RRB has not created a plan to investigate any triggers involving PWD and PWTD for potential barriers to equal opportunity. As noted above, we have identified several triggers for PWD and PWTD involving the 2210 series, the senior grade levels, and possibly separations. While RRB does not need to conduct barrier analysis on all triggers next year, the agency must establish a schedule for investigating the triggers. In its next AAP, we expect RRB to establish a plan and demonstrate meaningful progress in its efforts to conduct barrier analysis.

Notably, the EEOC did not infer or conclude that RRB had engaged in any unlawful employment practice, and did not identify any specific barrier to equal employment opportunity for any demographic group. As feasible given competing demands and limited resources, the Agency is focusing on incorporating all of the best practices identified as part of the EEOC's technical assistance.

OEO is currently working with various stakeholders, including Board staff, Director of Administration, Director of Human Resources, and the Executive Committee (EC), to ensure EEOC's suggestions are incorporated into the Agency's EEO program. For instance, OEO has consulted with the Bureau of Human Resources on a process to update its applicant flow data collection practices as well as a timetable for conducting barrier analysis. RRB has established a Barrier Analysis Workgroup and timetable to review its programs for systemic barriers. The Director of Human Resources has designated an HR staff member to assist with OEO's barrier analysis workgroup. The Bureau of Human Resources is also working diligently to provide exit survey summary results to the Board, Executive Committee and OEO on a

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quarterly basis. In May 2022, the Board approved reinstating Equal Employment Opportunity (EEO) Awards to recognize RRB employees, groups or organizations for their achievements, contributions, and efforts in supporting equal employment opportunity in the RRB workplace. The FY 2022 RRB EEO Award was handed out in during an agency-wide award ceremony in November 2022.

During FY 2022, the Bureau of Human Resources reinstated formal Exit Survey procedures and revised the Exit Survey Questionnaire to include disability-related questions. The OEO Director plans to review and analyze the FY 2023 aggregate exit survey data on a quarterly and annual basis and compare it to results from the previous fiscal year (FY 2022) to determine whether triggers exist, and further analysis is necessary to identify any potential barriers to equal employment opportunities. If any of the anonymized responses indicate potential discrimination, the OEO Director will take appropriate action to investigate and address the matter.

With respect to disability recruitment, hiring, and retention, the OEO Director will continue to work with Board staff and EC members to ensure the agency's recruitment, training and professional development policies and procedures are reviewed. The Agency's efforts to implement the EEOC's recommendations regarding barrier analysis and its Model Disability Program are addressed in greater detail in Part H of this report. OEO also carefully monitors and incorporates employee feedback on its EEO program and overall diversity and inclusion efforts. For instance, during FY 2022 OEO drafted and implemented a new survey specifically soliciting feedback from agency employees and relevant stakeholders about its Special Emphasis Programs and events. As a follow-up to the EEOC's technical assistance visit, and in line with MD-715 guidance, in FY 2022, RRB established procedures and timelines for conducting barrier analysis. This progress is addressed in greater detail in Part H of this report.

Evaluating Managers and Supervisors

RRB has taken measures to ensure that managers and supervisors are evaluated on their efforts to ensure equal opportunity for all employees. Specifically, Senior Executive Service (SES) members' performance plans evaluate their ability to "leverage diversity," and whether they foster and develop an inclusive workplace where a diverse set of talents and perspectives are valued in accomplishing the vision and mission of the Agency. Additionally, an EEO sub-element standard was adopted in FY 2020 and fully implemented in FY 2023 to the performance plans for all non-executive supervisors (GS 15 and below).

The Agency's Office of Equal Opportunity (OEO) collaborates with HR staff to implement EEO and diversity-related goals, objectives, and initiatives. OEO and HR staff communicate regularly to address HR and EEO issues, including HR management initiatives to improve employee morale, performance management, diversity, reasonable accommodations, upward mobility and training and development.

Finally, in all trainings related to any EEO topics, managers and supervisors are reminded that equal employment opportunity – including, critically, freedom from retaliation – is essential to attracting, developing, and retaining the most qualified workforce, and that a diverse workforce and a fair workplace are essential to ensuring that the RRB achieves its mission. This emphasizes to managers that they are responsible for the success of the EEO Program, and relatedly, to the success of the employees they supervise.

Essential Element D: Proactive Prevention of Unlawful Discrimination

According to Management Directive 715:

Agencies have an ongoing obligation to prevent discrimination on the bases of race, color, national origin, religion, sex, age, reprisal, and disability, and eliminate barriers that impede free and open competition in the workplace. As part of this ongoing obligation, agencies must conduct a self-assessment on at least an annual basis to monitor progress, identify areas where barriers may, operate to exclude certain groups and develop strategic plans to eliminate identified barriers.

This element requires agencies to conduct a self-assessment at least annually to: identify barriers and potential barriers to EEO and diversity in the workforce; develop strategic and action plans to eliminate identified barriers; and to assess the progress and effectiveness of the Agency's strategies and initiatives to remove barriers to EEO and promote diversity in the workforce.

Self-assessments

As discussed above, RRB has conducted or participated in various self-assessments, audits, and reviews that began or continued during FY 2022. Proactively, and in response to specific recommendations made by EEOC, the Agency has invested substantial resources in building a workplace that fosters collaboration, leverages diverse viewpoints, and offers development and advancement opportunities to all employees.

OEO staff performed monthly evaluation, trending, and reporting of the agency's workforce statistics. These statistics were compiled and

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reported by gender; race; pay band/grade distribution; disability; and veteran preference status. The monthly administrative reports were submitted to the Board as well as personally provided by the OEO Director to the Senior Executive Officer (SEO) in FY 2022.

Policies and procedures

To help proactively prevent discrimination, the RRB has promulgated and enforces clear and concise EEO and anti-discrimination policies and procedures. These policies detail employee rights and responsibilities under EEO laws. Managers and supervisors share the responsibility for successful implementation of these policies, and as a result, the EEO Program. The OEO Director regularly reviews these policies and procedures to ensure they are up to-date, legally sufficient, well communicated, applied consistently, and implemented fairly.

Ensuring that employees are treated with dignity and respect is critical to effective management. Employees are encouraged to discuss concerns with their managers and supervisors. Employees may also raise EEO-related concerns with OEO, and work-related concerns, including EEO related issues, with the Bureau of Human Resources (HR), the Employee Assistance Program or the AFGE union. The Agency also has an Alternative Dispute Resolution (ADR) Program, which encourages employees, managers, and supervisors to informally resolve workplace disputes at the lowest level possible.

The Agency's reasonable accommodation procedures, which were approved by EEOC, are posted on the Agency's intranet and external-facing public website. The Director of Human Resources has designated one person to carry out the responsibilities of the RRB's Reasonable Accommodation program – a Reasonable Accommodation Coordinator (RAC). The Reasonable Accommodation program also receives legal support from the Office of General Counsel (OGC) to ensure it is complying with all legal obligations; support from the Bureau of Information Services (BIS) Section 508 Program Coordinator for technology issues; and technical assistance from OEO staff as needed.

RRB ensures all managers and employees are thoroughly trained on the Agency's EEO and diversity policies, which prohibit unlawful discrimination and harassment and promote diversity and inclusion in the workplace.

Essential Element E: Efficiency

Management Directive 715 explains that agencies must:

- Have an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of their EEO programs.
- Maintain an efficient, fair, and impartial complaint resolution process. Agencies should benchmark against EEOC regulations at 29 C.F.R. Part 1614 and other federal agencies of similar size highly ranked in EEOC's Annual Report on the federal sector complaints process.
- Ensure that the investigation and adjudication function of the Agency's complaint resolution processes are kept separate from the legal defense arm of the agency or other agency offices with conflicting or competing interests.
- Establish and encourage the widespread use of a fair alternative dispute resolution (ADR) program that facilitates the early, effective, and efficient informal resolution of disputes. Appoint a senior official as the dispute resolution specialist of the agency charged with implementing a program to provide significant opportunities for ADR for the full range of employment-related disputes. Whenever ADR is offered in a particular workplace matter, ensure that managers at all appropriate levels will participate in the ADR process.
- Use a complaint tracking and monitoring system that permits the Agency to identify the location, status, and length of time elapsed at each stage of the Agency's complaint resolution process, the issues, and the bases of the complaints, the aggrieved individuals/complainants, the involved management officials, and other information necessary to analyze complaint activity and identify trends.
- Identify, monitor, and report significant trends reflected in complaint processing activity. Analysis of data relating to the nature and disposition of EEO complaints can provide useful insight into the extent to which an agency is meeting its obligations under Title VII and the Rehabilitation Act.
- Ensure timely and complete compliance with EEOC orders and the provisions of settlement/resolution agreements.
- Maintain a system that collects and maintains accurate information on the race, national origin, sex, and disability status of agency employees.
- Maintain a system that tracks applicant flow data, which identifies applicants by race, national origin, sex, and disability status and the disposition of all applications.
- Maintain a tracking system of recruitment activities to permit analyses of these efforts in any examination of potential barriers to equality of opportunity.
- Identify and disseminate best workplace practices.

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To these ends, RRB continuously evaluates its EEO complaint resolution process to ensure it is efficient, fair, and impartial.

Neutrality

As noted above, the OEO Director reports directly to the 3-Member Board. OEO emphasizes and maintains its neutrality and impartiality, which is critical to having an efficient and fair EEO complaint resolution process. This ensures that employees and managers know that the pre-complaint and investigation stages of the Part 1614 process are not adversarial, that OEO will provide a neutral and impartial factual record, and that, when requested, OEO will issue a final decision assessing the facts and law to determine whether or not one or more of the applicable employment discrimination laws have been violated.

The OEO Director exercises full authority to carry out the Part 1614 functions of OEO without the Office of General Counsel's (OGC) involvement, thus ensuring impartiality and removing any possible conflict of interest. Legal resources added to OEO in FY 2022 make this possible. OEO staff, sometimes with the assistance of contractors, conducts legal sufficiency reviews of EEO matters, which includes issuing accept/dismiss decisions related to formal complaints, Reports of Investigations (ROIs), and Final Agency Decisions (FADs). OGC, which defends the RRB in these matters, is firewalled from all activities within OEO and only participates during adversarial portions of the EEO process (hearings and appeals), and during settlement negotiations, or to provide appropriate legal advice or assistance when a manager or supervisor requests it during the course of an EEO investigation. All other RRB components are similarly firewalled and kept separate as necessary and appropriate to avoid conflicting or competing interests.

EEO Counseling and investigations

OEO works to ensure that its counseling and investigations are done within the regulatory timeframes, and that all EEO counselor reports and ROIs are created with a high standard of quality and fairness to both parties. In FY 2022, OEO completed all counseling, investigations, final agency decisions within the prescribed regulatory timeframes.

By conducting EEO counseling and investigation services through qualified Ad Hoc EEO Counselors and third-party contractors from the GSA Schedule, RRB provides a fair and effective dispute resolution system in accordance with 29 C.F.R. Part 1614. All Ad Hoc EEO Counselors and contractors meet the 32 hours of training and eight hours of refresher training requirements set by the EEOC's Management Directive 110, and OEO seeks to hold counselors and contractors accountable for counseling and investigation processing timeframes.

Alternative Dispute Resolution (ADR) program

RRB has an ADR Policy, and OEO provides additional information about the benefits of ADR on the Agency's intranet. These materials explain the ADR process, why employees should consider ADR, the different types of ADR (mediation, informal settlements), and how an employee can request ADR. The RRB's ADR Policy makes clear that although ADR is voluntary for EEO filers, supervisors and managers must participate in good faith if a filer elects ADR. The goals in having this strong ADR policy include resolving conflicts at an early stage, improving workplace communication and morale and creating a more efficient EEO Program.

OEO offers ADR during the pre-complaint and formal complaint stages of the EEO process, including while cases are pending before the EEOC for hearing or on appeal.

Complaint and workforce tracking and monitoring systems

During FY 2022, OEO staff used an Excel spreadsheet for EEO complaint tracking, reporting, and managing the overall effectiveness of RRB's EEO Program.

The RRB also has in place various data systems that allow for periodic examinations of the agency's workforce profiles by demographic characteristics. These systems maintain information on the race, national origin, sex, and disability status of RRB employees. Further, these systems allow OEO and the Bureau of Human Resources to monitor the data to determine whether triggers may exist that could lead to barriers for equal employment opportunities. During FY 2022, OEO staff was provided training on barrier analysis and MD-715 reporting.

RRB also initiated analyses of its demographic data system and exit survey data.

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Essential Element F: Responsiveness and Legal Compliance

According to Management Directive 715, Federal agencies must:

- Ensure that they are in full compliance with the law, including EEOC regulations, orders, and other written instructions.
- Report Agency program efforts and accomplishments to EEOC and respond to EEOC directives and orders in accordance with EEOC instructions and time frames.
- Ensure that management fully and timely complies with final EEOC orders for corrective action and relief in EEO matters.

RRB is committed to ensuring full compliance with the law and incorporating EEO best practices into its everyday business. OEO staff is tasked with monitoring and complying with all orders and directives by EEOC Administrative Judges and the EEOC's Office of Federal Operations.

The OEO Director's performance standards require compliance with EEOC orders. OEO staff is also responsible for compliance with EEOC orders and has received formal training in EEO compliance.

In FY 2022, RRB timely processes EEO complaints, conducted EEO activities and issued reports in accordance with EEOC regulations, directives, and policy guidance. The Agency has also complied with regulatory requirements to submit an annual Form 462 Report, EEOC MD 715 Report, the Disabled Veterans Affirmative Action Program (DVAAP) Report, and quarterly and annual No FEAR Act reports.

EXECUTIVE SUMMARY: WORKFORCE ANALYSES

The workforce profile data represents the demographics of the RRB workforce by race, sex, national origin, and disability and was retrieved from RRB database systems. The data is based on information as of September 30, 2022.

RRB has three (3) Presidential appointed board members and seven (7) Executive Committee (EC) members to assist in managing its mission, responsibilities, and goals.

As of the end of FY 2022, the total RRB workforce was 761 employees, including 745 permanent employees and 16 temporary employees. The total workforce reduced by ninety-six (96) during FY 2022, representing a rate of change of 11.2 percent. During FY 2022, several EEO populations experienced net reduction except for Asian males, White males, Hawaiian/Pacific Islander, and Native American Indian/Alaska Native males and females. Compared to the U.S. Census Civilian National Labor Force (CLF), overall RRB demographics have not changed significantly. White employees comprise the largest racial group in RRB, followed by Black employees, respectively.

Table 1: RRB Workforce by Race, Ethnicity, and Gender as of September 30, 2022

Race and Ethnicity	Female	Male	All
Total	410 (54%)	351 (46%)	761 (100%)
Unidentified	0 (0%)	0 (0%)	0 (0%)
White	149 (43%)	200 (75%)	349 (45.9%)
Black	204 (71%)	84 (29%)	288 (37.8%)
Hispanic	38 (53%)	34 (47%)	72 (9.5%)
Asian	15 (37%)	26 (63%)	41 (5.4%)
Hawaiian or Other Pacific Islander	1 (0.33%)	2 (0.67%)	3 (0.4%)
Native American Indian or Alaska Native	3 (0.43%)	4 (0.57%)	7 (0.9%)
Two or more Races	0 (0%)	1 (0.1%)	1 (0.1%)

EXECUTIVE SUMMARY: WORKFORCE ANALYSES

Ethnic and Race Indicators

In FY 2022, the ethnic and race indicators were as follows:

White males represented 26.3 percent (200) of the RRB workforce. No significant change from FY 2021.

White females represented 19.6 percent (149) of the RRB workforce. This represents a net reduction of 1.1 percent (24) in FY 2022 compared to FY 2021 when White female representation was 20.7 percent (173).

African American/Black males represented 11 percent (84) of the RRB workforce. No net change from FY 2021 statistics of 11.2 percent (94).

African American/Black females represented 26.8 percent (204) of the RRB workforce. This represents a net reduction of 2.1 percent compared to FY 2021 when African American/Black female representation was 28.9 percent (242).

Native American Indian/Alaska Native males (AIAN) represented 0.5 percent (4) of the RRB workforce. This represents a net growth of 0.4 (3) in FY 2022 from 0.1 percent (1) in FY 2021.

American Indian/Alaskan females (AIAN) represented 0.4 percent (3) of the RRB workforce. This represents a net growth of 0.2 (2) in FY 2022 from 0.1 percent (1) in FY 2021.

Asian males represented 3.4 percent (26) of the RRB workforce. This represents a net growth of 0.6 (3) in FY 2022 from 2.8 percent (23) in FY 2021.

Asian females represented 1.8 percent (15) of the RRB workforce. This represents a slight reduction of 0.1 percent (1) from 1.9 percent (16) in FY 2021.

Hispanic males represented 4.5 percent (34) of the RRB workforce. This represents an increase of 0.8 percent (3) in FY 2022 from 3.7 percent (31) in FY 2021.

Hispanic females represented 5 percent (38) of the RRB workforce. No change from FY 2021.

Native Hawaiian/Pacific Islander (NHOPI) males represented 0.3 percent (2) of the RRB workforce. No change from FY 2021.

Native Hawaiian/Pacific Islander (NHOPI) females represented 0.1 percent (1) of the RRB workforce. No change from FY 2021.

EEOC provides an opportunity for federal employees and applicants to self-identify as having "Two or more Races."

"Two or more Races" males comprised 0.1 percent (1) of the RRB workforce. This represents a net reduction of 0.7 percent (6) compared to FY 2021 when "Two or More Races" male representation was 0.8 percent (7). "Two or more Races" females comprised 0 percent (0) of the RRB workforce. This represents a total reduction of 0.4 percent (3) from FY 2021.

Whites comprised the majority of the RRB workforce in FY 2022 at 45.9 percent (349) followed by African Americans/Blacks at 37.8 percent (288). Hispanics comprised 9.5 percent (72) while Asians comprised 5.4 percent (41). Other racial/ethnic groups (i.e., American Indian/Alaskan Native, Native Hawaiian/Other Pacific Islander, and Two or More Races/Ethnicity) comprised 1.4 percent (11) of RRB's workforce in FY 2022.

As in previous years, American Indians/Alaskan Natives (AIAN), Hawaiian/Other Pacific Islanders (NHOPI) and persons of Two or More Races continue to remain largely absent from RRB's permanent workforce.

Gender Distribution

EXECUTIVE SUMMARY: WORKFORCE ANALYSES

RRB continues to have a higher participation rate for females. In FY 2021, males comprised 364 or 43.5 percent and females comprised 473 or 56.5 percent of the workforce. In FY 2022, males comprised 351 or 46.1 percent and females comprised 410 or 53.9 percent.

Table 2: RRB Workforce by Gender as of September 30, 2022

GENDER	GENDER/SEX	
	#	%
Female	410	53.9
Other	0	0

Employees with Disability Demographics

In FY 2022, Persons with a disability (PWD) made up 21 percent (160) of RRB's total workforce, exceeding EEOC's goal of 12.00%. In addition, persons with a targeted disability (PWTD) made up 2.62 percent (20) of the workforce, also exceeding EEOC's goal of 2.00%.

Table 3: RRB Workforce by Disability Status as of September 30, 2022

Disability Status	DISABILITY STATUS	
	#	%
Total	761	100
No Disability	581	76
Not Identified	78	10
Non-Targeted Disability	82	.11
Targeted Disability	20	.03

New Hires

In FY 2022, RRB hired a total of thirty-two (32) new employees, 78.1 percent (25) into permanent positions and 21.9 percent (7) into temporary positions. This represents a reduction of 54 percent (37) from 69 new hires in FY 2022.

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

The distribution of the new hires into permanent positions (25) during FY 2022 was:

- African American/Black males = 3
- African American/Black females = 5
- American Indian/Alaskan Native males = 0
- American Indian/Alaskan Native females = 0
- Asian American males = 6
- Asian American females = 0
- Hispanic males = 1
- Hispanic females = 1
- Native Hawaiians/Pacific Islander males = 0
- Native Hawaiians/Pacific Islander females = 1
- White males = 8
- White females = 0
- “Two or more Races” males = 0
- “Two or more Races” females = 0

Separations

In FY 2022, a total of 123 employees separated from the agency. Separations include resignations, terminations, transfers, and retirements.

The demographic distribution of RRB employee separations in FY 2022 were:

- African American/Black males = 16
- African American/Black females = 48
- American Indian/Alaskan Native males = 0
- American Indian/Alaskan Native females = 0
- Asian American males = 3
- Asian American females = 2
- Hispanic males = 1
- Hispanic females = 1
- Native Hawaiians/Pacific Islander males = 0
- Native Hawaiians/Pacific Islander females = 0

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- White males = 21
- White females = 31
- “Two or more Races” males = 0
- “Two or more Races” females = 0

The breakdown on the Separations types in FY 2022 were: Resignations (18), Retirements (57), Transfers to other federal agencies (41), Terminations (0), Removal (5), and Death (2)

African American/Black females, at 48 (or 39 percent), were the largest group separated. Other high rates of separation include White females, at 31 (or 25.2 percent); White males, at 21 (or 17.1 percent); and African American/Black males, at 16 (or 13 percent).

Workforce Participation by Grade Level

In FY 2022, the majority of RRB’s permanent employees are in higher-graded professional and administrative positions. Majority of RRB employees were at the GS-12 grade level. During FY 2022, the grade level distribution for the 745 permanent employees was:

Permanent employees in grades GS 1 through 10 positions = 234

Permanent employees in GS-11 positions = 119

Permanent employees in GS-12 positions = 173

Permanent employees in GS-13 position = 93

Permanent employees in GS-14 positions = 75

Permanent employees in GS-15 positions = 42

Permanent SES employees = 9

In FY 2022, minority representation in higher grades (i.e., 13, 14, 15, and SES) continues to be disparate compared to whites. For all grades-13 through SES, White permanent employees had the highest levels in the workforce. Overall, the participation rate of African American/Blacks, Asians, Hispanics, and Other race/ethnic groups decreased as the grades increased.

SES Participation by Race

There were a total of 9 employees in SES positions, of which 6 were White (67 %), 3 were African-American/Black (22 %) and 1 was Hispanic (11%).

GS-15 Participation by Race

There were a total of 42 employees in GS-15 positions, of which 30 were White (71%), 5 were African-American/Black (12%), 4 were Asian (10%), 3 were Hispanic (7%).

GS-14 Participation by Race

There were a total of 75 employees in GS-14 positions, of which 47 were White (63%), 17 were African American/Black (23%), 9 were Asian (12%), and 2 were Hispanic (3%).

GS-13 Participation by Race

There were 93 employees in GS-13 positions, of which 44 were White (47%), 28 were African American/Black (30%), 8 were Asian (9%), 10 were Hispanic (11%), 3 were American Indian/Alaska Native (3%).

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EXECUTIVE SUMMARY: ACCOMPLISHMENTS

The RRB is strongly committed to the principles of EEO and diversity and to a work environment free of discrimination, retaliation, and harassment. This section highlights the agency's efforts to align its activities with the goals of a model EEO Program.

Accomplishments for RRB during FY 2022 included:

The 3-Member Board established and communicated their commitment to ensuring all employees and applicants are provided equal opportunity and are protected under the law. In FY 2022, the board members disseminated the following policies to managers and employees:

- EEO Policy Statement** – Declaration of the agency's commitment to cultivate a work environment that provides every individual with equal opportunity in employment programs and occupational activities. Reminded all RRB employees and managers to fully and timely cooperate when contacted by an OEO representative during the EEO process. Served as a call to action for all employees to take responsibility for reporting and addressing discriminatory conduct and to foster a work environment free from discrimination, harassment, and intimidation.

- Anti-Harassment (AH) Policy Statement** – Prevents or mitigates harm to any employee subjected to harassment or bullying. Seeks to address harassing and bullying conduct before it reaches the level of unlawful harassment. Provides updated procedures and timeframes for managers to follow upon receiving allegations of harassment, inappropriate conduct or bullying.

The RRB collaborated with its Special Emphasis Groups (Workplace Diversity Committee, Employees with Disabilities Advisory Council, Federal Women's Program Committee) to conduct special emphasis activities for Black History, Women's History, Asian-American/Pacific Islander, Hispanic Heritage Month and National Disability Employment Awareness Month (NDEAM).

In September 2022, the Office of Equal Opportunity (OEO) collaborated with Economic Systems, Inc. (EconSys) to conduct exploratory analysis on the RRB diversity and inclusion data and processes with the goal of identifying opportunities for process improvement and optimization.

The agency incorporated guidance from the EEOC 2022 Technical Assistance Review (TAR) to establish an exit survey, EEO awards and a timetable for conducting barrier analysis.

The Railroad Retirement Board has a strong record of employing individuals (veterans) who have served in the military. The range of opportunities in human resource management, claims examining, law enforcement (OIG), information technology, and administration align particularly well with the experience and interest of many military veterans. In 2022, RRB employed more than 158 veterans (20.8%) which represents close to one-fourth of our workforce.

Training Development/Delivery: The Office of Equal Opportunity (OEO) collaborated with staff from OGC, HR and OIG to provide awareness and training on EEO and diversity-related topics. RRB provided training on reasonable accommodation, handling whistleblower complaints, harassment and EEO complaint procedures. The agency also provided mandatory training for all new supervisory employees to increase their awareness and understanding of the importance of diversity and inclusion and how it enhances the overall effectiveness of the Agency.

The RRB has prominently posted and displayed all policies and procedures related to Anti-Harassment, Equal Employment Opportunity, Reasonable Accommodations, and Alternative Dispute Resolution on bulletin boards across the Agency and on Intranet/Internet sites.

Implemented and recognized employee efforts to foster diversity and inclusion through Agency incentive awards program.

The RRB has also complied with regulatory requirements to submit an annual Form 462 Report, EEOC MD-715 Report, the Disabled Veterans Affirmative Action Program (DVAAP) Report, and quarterly and annual No FEAR Act reports.

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EXECUTIVE SUMMARY: PLANNED ACTIVITIES

The Affirmative Employment Program has eight (8) primary plans for FY23 and beyond:

EEO Performance Element for RRB Managers (GS-15 and below)

Office of Equal Opportunity (OEO) will ensure that RRB Managers are being evaluated on fostering diversity and inclusion by conducting a post-implementation audit of the FY 2023 performance appraisals of GS 15 and below managers (random sampling from each component of the performance plans for all RRB managers (GS-15 and below)

DEIA Strategy and Roadmap

The Director of Equal Opportunity will also have continued discussions with Board staff to better define roles and responsibilities among OEO and the Bureau of Human Resources, and then to acquire and assign additional personnel resources, as necessary, to support the EEO Program and DEIA strategy (FY 22-24).

Barrier Analysis

Establishing and maintaining effective ongoing programs of barrier analysis by broadening outreach to appropriate subject matter experts and members of relevant constituent groups, providing tailored training to barrier analysis teams, and using effective program management to establish and systematically achieve investigative goals.

Data Collection

Continue to work on improving RRB workforce and applicant data systems to provide complete and accurate data to support MD-715 data tables and Part J requirements in accordance with EEOC *Instructions to Federal Agencies for EEO MD-715*. Secondly, improving the data systems in order to automate production of relevant data tables and/or trigger analysis tools. The lack of ability to acquire and aggregate accurate Applicant Flow Data will continue to be addressed by the agency (FY 22-24).

Reasonable Accommodation Data Protocol

Developing and implementing protocols for incorporating data from requests for reasonable accommodations into disability status information derived from the self-identification process.

Model Disability Program

Continued improvement of the Agency's Plan for PWD and PWTD, with emphasis on both establishing mechanisms for supplying all mandatory data and answering all Part J questions, and developing and implementing relevant plans to improve recruitment, hiring, advancement, and retention of PWD and PWTD.

Reasonable Accommodation Firewall

Establishing a firewall for Reasonable Accommodation request processing to address conflict of interests with the Bureau of Human Resources staff in accordance with EEOC's Management Directive 110 (MD-110).

Career Development for RRB Employees

The Bureau of Human Resources will sponsor workshops on proactive career development. RRB will continue to identify qualifying career development programs and related courses, as well as produce a report in compliance with MD-715, using data from our Learning Management System (RRB University) to identify personnel who participated in those courses and data from the human resources systems to obtain personnel attributes.

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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			Yes, the EEO policy statement is signed by the 3 Board Members and posted in clear view on every floor in headquarters and in every field office. 5/23/2022
A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] 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			The additional bases covered in our agency's EEO policy statement are parental status, marital status, political affiliation, military service and other non-merit based factors.

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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.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, 11(A)]

X

The Anti-Harassment Policy is on the agency public website as well as the agency's internal intranet which can be accessed by all employees. It is also summarized on an all-inclusive poster along with other EEO programs that is posted throughout headquarters and in every field office.

A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]

X

The Reasonable Accommodation Procedure is on the agency's public website as well as the agency's internal intranet which can be accessed by all employees. It is also summarized on an all-inclusive poster along with other EEO programs that is posted throughout headquarters and in every field office.

A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:

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<p>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)]</p>	<p>X</p>		<p>The OEO Director's name is posted in the headquarter building lobby, on the agency's public website, the agency's internal intranet and on an EEO poster posted in every RRB office and every floor in headquarters. The diversity committee members and EEO Specialist names are listed on the agency's intranet. EEO Counselors are not listed because employees must contact the OEO Director.</p>
<p>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)]</p>	<p>X</p>		<p>Our agency created a poster listing and summarizing the EEO Programs: Anti-Harassment Policy and Procedure, Discrimination Complaint Program, ADR, Reasonable Accommodation Program, Section 504 and Section 508.</p>
<p>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.</p>	<p>X</p>		<p>https://www.rrb.gov/Resources/OfficeOfEqualOpp/EEOpolicies.</p>
<p>A.2.c. Does the agency inform its employees about the following topics:</p>			

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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.

X

The complaints process is always posted on the agency's intranet, public website and in every RRB installation. Employees are informed during initial onboarding and subsequently via biennial training. Employees who are supervisors or managers receive formal EEO training, which is required within one year of accession or assignment to those positions, and at least once every 3 years thereafter.

A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If “yes”, please provide how often.

X

The ADR process is always posted on the intranet (Boardwalk). Employees are informed during initial onboarding and subsequently via biennial training. Employees who are supervisors or managers receive formal EEO training, which is required within one year of accession or assignment to those positions, and at least once every 3 years thereafter.

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<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>Reasonable Accommodation information is provided to all employees during New Employee Orientation (NEO) and the agency's Reasonable Accommodation Coordinator provides a briefing to all new employees during NEO on reasonable accommodation procedures. In addition, the information is available on the intranet (Boardwalk).</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>OEO provides training regarding Harassment, Agency policy, and inappropriate behaviors/ethics in the workplace. During these sessions, managers & employees are provided information tools such as RRBs Anti-harassment Policy and the Agency's EEO Policy Statement to give notice to federal employees of inappropriate behaviors in the workplace and the potential result of such actions.</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>Employees are informed during initial onboarding and subsequently via biennial training. In addition, annual notices are sent by email to all RRB employees.</p>

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 Compliance Indicator		Measure Has Been Met			
 Measures		Yes	No	N/A	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
	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			EEO Recognition Awards and Plaques.
	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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Agency Self-Assessment Checklist

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

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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	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			The head of the RRB is a three-member board appointed by the President of the U.S (POTUS). The OEO Director reports directly to the 3-member board.
	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 OEO Director reports directly to the 3-member board (Chair, Labor Member and Management Member).
	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			OEO's physical office is located on the same floor with the 3-member board offices. The Board members and/or their assistants are always open to meeting with the OEO Director on issues about the efficiency and legal compliance of the agency's EEO program. In addition, the OEO Director briefs the board members through submission of monthly administrative reports and meets with Board staff monthly.



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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			The OEO Director provides monthly administrative reports and briefings to the Board Members and their assistants.
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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.			N/A	

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			
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B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			
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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			The OEO Director and the EEO Specialist oversee the fair and thorough investigation of EEO complaints.
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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			
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B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			
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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			
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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 agency does not have subordinate level components.
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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.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.				
	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			The RRB Strategic Plan states that "The RRB will continue to recruit and hire a high-performing workforce and foster a leadership environment that inspires, motivates and guides employees toward our strategic goals, allows them to link their responsibilities with the agency's strategic vision, and results in a stable workforce that ...reflects the diversity of all segments of American society.

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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.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			On a monthly basis, the OEO Director obtains and reviews HR data on accessions, separations, harassment complaints and grievances.
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			The agency has a designated Reasonable Accommodation Coordinator within the Bureau of Human Resources that oversees RRB's Reasonable Accommodation process.
	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			In September 2022, RRB contracted with a consulting firm (EconSys) to conduct a barrier analysis to assist the Agency in evaluating its recruitment and advancement policies, procedures, and practices with respect to minority groups, including persons with disabilities. Project objectives included identification of barriers to equal opportunity, retention and advancement.

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<p>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)]</p>	<p>X</p>			
<p>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.</p>	<p>X</p>			
<p>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)]</p>			<p>X</p>	<p>RRB does not have subcomponent EEO programs but does access workforce data at the component and field office level.</p>
<p>B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]</p>	<p>X</p>			<p>The agency has a print shop that prints our EEO literature and/or materials for various programs. Policies are posted throughout the agency in plain view as well as in every Field office. We also have an internal and external website where we post our various policies and information on our EEO programs.</p>
<p>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.</p>	<p>X</p>			<p>At RRB, we use an excel spreadsheet to track all complaint data, analyze and compare the data for any trends or similar complaints in the same department or under the same management. We also track whether there are similar issues occurring within the same department or unit, etc.</p>

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<p>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]</p>	<p>X</p>		<p>All Special Emphasis program meetings and activities were virtual during fiscal year 2022 since the agency was operating in a maximum telework posture due to the Covid-19 pandemic.</p>
<p>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]</p>	<p>X</p>		<p>The Agency's anti-harassment program is handled by the Office of Administration, hence there is a firewall with the Office of Equal Opportunity.</p>
<p>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)]</p>	<p>X</p>		
<p>B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]</p>	<p>X</p>		
<p>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?</p>	<p>X</p>		<p>The Director of Equal Opportunity ensures all training is completed by requiring attendees to provide a copy of the certificate of completion.</p>
<p>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?</p>	<p>X</p>		<p>The Director of Equal Opportunity ensures that all annual refresher training is completed by requiring attendees to provide a copy of the certificate of completion.</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
 Measures		Yes	No	N/A	



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			All new supervisors receive training on the EEO complaint process.
B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]	X			The Reasonable Accommodation procedure is included in the new supervisor training.
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			The agency provides numerous on-line soft skill management courses to help them with interpersonal skills and communication with employees. We believe our diversity and inclusion programs helps everyone understand each other better and creates an atmosphere of inclusion.
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			We offer ADR to all complainants except sexual harassment complaints. We also created an ADR video explaining how ADR works (optional viewing).

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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.6. The agency involves managers in the implementation of its EEO program.				
B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]		X			Senior managers approve the time for their employees to attend and/or participate in commemorative events. Board members also attend and provide opening and closing remarks during commemorative events.
B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]		X			The Director of Equal Opportunity has established a barrier analysis workgroup and has started to review data (grievance, anti-harassment program complaints, exit survey results, etc.) on a monthly basis.
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 is currently developing an action plan to remedy this deficiency based on EEOC Technical Assistance review and findings of our FY 2019 and FY 2020 MD-715 reports. All corrective plans are reviewed and vetted by the Board.

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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



During FY 2022 and FY 2023, action plans were developed and continued to be implemented. We will continue to make progress, monitor and measure results in 2023.

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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.				
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	RRB has a centrally managed and operated EEO program; there are no separate programs run by components or at the field level.
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	RRB has a centrally managed and operated EEO program; there are no separate programs run by components or at the field level. As of FY 2022, component data is generated and analyzed for triggers annually.
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	RRB has a centrally managed and operated EEO program; there are no separate programs run by components or at the field level. As of FY 2022, component data is generated and analyzed for triggers annually.

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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			The Director of Equal Opportunity provides the required notice to the Agency's Anti-Harassment Coordinator and Director of Administration in accordance with RRB's Anti-Harassment policy.
	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			

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<p>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)]</p>	<p>X</p>		<p>RRB has a designated Reasonable Accommodation Coordinator in the Bureau of Human Resources who coordinates and assists with reasonable accommodation processing requests throughout the agency and also tracks information on accommodation approvals and denials. The Office of the Inspector General processes their reasonable accommodation requests and has their own RA Coordinator.</p>
<p>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)]</p>	<p>X</p>		<p>The Agency's Reasonable Accommodation Coordinators are in the Bureau of Human Resources and the Office of the Inspector General.</p>
<p>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)]</p>	<p>X</p>		<p>Every vacancy notice includes the language "The Railroad Retirement Board Provides reasonable accommodations to applicants. If you need a reasonable accommodation for any part of the application process, please notify the Bureau of Human Resources. The decision of granting a reasonable accommodation will be on a case-by-case basis."</p>

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<p>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)]</p>	<p>X</p>			<p>Our agency's Reasonable Accommodation policy provides for 15 workdays unless there are extenuating circumstances.</p>
<p>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.</p>	<p>X</p>			
<p>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)]</p>	<p>X</p>			
<p>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.</p>	<p>X</p>			<p>It is included in the Reasonable Accommodation Policy which is posted on rrb.gov.</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	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			The performance appraisals for senior executives (SES) contain an EEO element. An EEO sub-element was adopted in 2020 and was fully implemented in the performance appraisals of all agency managers (GS 15 and below) during FY 2023.
	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			This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
	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			This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
	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			This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).

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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		This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	X		This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]	X		This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]	X		This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]	X		This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
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		This requirement is included in the new EEO sub-element implemented in FY 2023 for all agency managers (GS 15 and below).
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 There were no findings of discrimination in FY 2022.

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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

There were no findings of discrimination in FY 2022.

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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			As of FY 2022, the HR Director and OEO Director meet bi-weekly.
	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			Timetable/ Schedule was established in September 2022 by the OEO Director.
	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			This Plan is approved by the Director of Administration who is over HR. The Plan was shared with the Executive Committee.
	C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]		X		These tasks are conducted by the Bureau of Human Resources. The OEO Director does not participate in outreach, recruitment strategies, recruitment initiatives, vacancy projections, succession planning, and selections for training/career development opportunities for the agency.
	C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X			

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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			
 Compliance Indicator	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.	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	
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			Since the agency did not have a finding of discrimination, no (zero) individuals were sanctioned/disciplined during FY 2022.
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 Responsible Management Official (RMO) is advised if their actions were inappropriate,
 Compliance Indicator	C.6. The EEO office advises managers/supervisors on EEO matters.	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	
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			OEO provides annual updates to managers and supervisors. In addition, the Director of Equal Opportunity provides monthly updates and briefings to agency heads and executives.
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			As of September 2022.
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			As of September 2022.
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			As of January 2022.

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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.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			Yes, OEO analyzes the promotions, hiring and separation data for possible barriers that may impact minorities and/or people with disabilities, but have found none to date.
	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			
	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			Yes, over the past five years, we had one reorganization and no impact on any specific group was identified.
	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			Yes, OEO reviews complaint data, anti-harassment data, program evaluations and special emphasis programs for barriers. Beginning in FY 2022, OEO plans to review exit survey and grievance data.

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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			Yes, we have not identified any barriers in policies, procedures or practices. If we did, we would inform the Board members and their assistants and speak with the department head on the barrier the policy created and remove/revise the policy.
	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	We did not identify a barrier during FY2021.
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]			X	We have not had one to test.

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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.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			Yes, https://www.rrb.gov/Resources/OfficeOfEqualOpportunity/EEOPolicies .
	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			Yes. We send our vacancy announcements to many organizations that assist people with disabilities get back into the workforce. Also, if an accommodation is needed, contact information is on the vacancy announcement.
	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			Yes, an HR Specialist, the Selective Placement Coordinator, is assigned to this task.
	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			Yes. We send our vacancy announcements to many organizations that assist people with disabilities get back into the workforce. Also, if an accommodation is needed, contact information is on the vacancy announcement.

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Agency Self-Assessment Checklist

Essential Element: E Efficiency

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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.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			Yes, the Agency issues acceptance letters/dismissal decisions within a reasonable time. The internal office policy is to issue within 15 business days of receipt date of a formal complaint.
	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			Yes, within 180 days
	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			Yes.
	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			

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<p>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.</p>	<p>X</p>		<p>Yes, the Agency uses contract investigators to conduct EEO discrimination investigations. As part of their contract expectations, we advise the contractors in writing that their fee may be reduced for a late or poor work product. As of FY 2023, the OEO Director requires weekly progress reports from the contract investigators during the investigation.</p>
<p>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)]</p>	<p>X</p>		<p>Yes, we only use employees as Collateral Duty EEO Counselors and OEO provides input on their performance appraisals as to how they handled their assignments.</p>
<p>E.1.l. Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]</p>	<p>X</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	E.2. The agency has a neutral EEO process.				
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			There is a firewall between the EEO function and the agency's defensive function (OGC). OGC is not involved in the process until the Complainant requests a hearing. At that point, we provide OGC with the complaint file and post their name and contact info on FedSEP.
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			Yes, OEO independently conducts all sufficiency reviews.
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	OEO conducts all sufficiency reviews. OEO does not rely on the agency's defensive function (OGC) for sufficiency reviews.
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			Yes, OGC is not contacted until the Complainant requests a hearing. If Complainant request a final agency decision, OEO writes the decision.

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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

OEO conducts sufficiency reviews and completes them within 10 business days to ensure timely processing of complaints.

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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			Yes. Complainants are advised they can request ADR (Mediation) during the informal and the formal complaint process.
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			Yes, managers are required to participate.
E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]		X			Yes, the agency encourages employees to use ADR for EEO and non-EEO complaints.
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			Yes.
E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]		X			Yes. If the Responsible Management Official (RMO) is the Director of the Department, we try to have another Senior Executive sit in on the mediation with settlement authority. Of course, they still must consult with the director of that department.
E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]		X			Yes, we do monitor how many resulted in settlements and/or ended in no agreements, where the Complainant did not pursue the complaint.

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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
 Measures		Yes	No	N/A	
	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			Yes. OEO enters all complaint information on an EXCEL worksheet to compare cases on their bases, issues and the RMO involved.
E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	X			Yes, all info is entered on an EXCEL spreadsheet for comparability.
E.4.a.3. Recruitment activities? [see MD-715, II(E)]	X			Yes, OEO monitors all accessions. Vacancy postings are listed on usajobs.gov. We also send vacancy announcements to organizations assisting people with disabilities and veterans trying to re-enter the workforce.
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			Yes, we do this annually but will start reviewing data throughout the year.

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<p>E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]</p>	<p>X</p>		<p>Yes, OEO created the Reasonable Accommodation policy but the Reasonable Accommodation Coordinator (RAC) is in the Bureau of Human Resources. The RAC provides an annual report of approved, denied, changed reasonable accommodations and the cost to the agency.</p>
<p>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]</p>	<p>X</p>		<p>Yes. The Office of Administration processes complaints of harassment but provides a monthly report to OEO on whether a complaint was filed and when it was closed. The Anti-Harassment Coordinator and the OEO works together to ensure that the time-frames are met.</p>
<p>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]</p>	<p>X</p>		<p>Yes, we use the Federal Employee Viewpoint Survey.</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	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			RRB monitors and assesses its performance of the 156 Part G compliance measures, which are linked to various EEO laws, regulations and EEOC Management Directives, Instructions, and guidance. Several measures (e.g., complaints processing, reasonable accommodations processing, training compliance) use empirical data which is tracked over time to assess status, trends, and progress.
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			Yes, the OEO Director is a member of the small agency council and RRB has recently adopted data analysis practices and benchmarking tools from the Federal Finance Housing Authority (FHFA) and National Transportation Safety Board (NTSB) which are similarly sized agencies).

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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



Yes, we informally compare our EEO process and programs to other agencies within the small agency council.

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Agency Self-Assessment Checklist





Essential Element: F Responsiveness and Legal Compliance

 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.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			Yes, OGC approves any monetary settlements and OEO follows up to ensure HR processes payments timely.
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X			Yes, OEO receives a copy of the settlement to ensure compliance.
	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			

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

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	F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.				
	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			Yes, when OEO receives a request for a hearing notice, we immediately download the complaint file to FedSEP portal.
	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			
	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			
 Compliance Indicator	F.3. The agency reports to EEOC its program efforts and accomplishments.	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	
	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			Yes, by March 30 every year.
	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			Yes, by the 15th of the month following the end of each quarter.

Essential Element: O Other

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.1

Brief Description of Program Deficiency: 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)]

Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology and other workforce issues?

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/28/2020	01/31/2021		01/17/2022	To have the EEO Director participate in senior-level staff meetings concerning personnel, budget, technology and other workforce issues.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of Equal Opportunity	Shiri Ndang	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
10/01/2020	The EEO Director will participate in conference calls and meetings with the Senior Executive Members and be briefed on all Executive Committee discussions concerning personnel, budget, technology and other workforce issues.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	RRB no longer views this as a deficiency. When this issue was first reported in 2020, the agency had not yet established regular and effective means for the OEO Director to advise agency heads (Board Members) and other senior management officials of the effectiveness, efficiency, and legal compliance of the agency's EEO program. As of FY 2022, the OEO director meets monthly with Board offices and Executive Committee members.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/28/2020	01/31/2021		01/18/2022	Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology and other workforce issues?

Responsible Officials

Title	Name	Standards Address the Plan?
Director Equal Opportunity	Shiri Ndang	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
05/01/2020	For the EEO Director to be apart of Senior Level meetings on hiring workforce, technology, etc.	Yes	10/01/2021	

Accomplishments

Fiscal Year	Accomplishment
2021	The previous Director of EEO met with the Executive Committee (EC) during FY2019 and expressed the need to be included on policies effecting personnel, budget, technology and other workforce issues. The EC agreed and said that they would contact the EEO Director in the future. During COVID-19 pandemic in FY2020, the previous EEO Director was sent policies to review prior to implementation. In FY 2021, the Senior Executive Committee Members had weekly conference call meetings with the Director of EEO to keep her updated on all senior level meetings concerning personnel, budget, technology and other workforce issues . However in FY 2022, the new EEO Director begun attending board meetings and has recurring bi-weekly meetings with the agency's Senior Executive Officer (SEO).

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.2

Brief Description of Program Deficiency:

C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]

Pursuant to Section II(C) of MD-715, the agency does not currently have in place a program for the EEO office to collaborate and conduct outreach and recruiting activities with Human Resources staff.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2022	10/01/2024			To determine the feasibility of a process for OEO and HR staff to jointly conduct recruiting and outreach activities.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of Equal Opportunity	Shiri Ndang	Yes
Director of Human Resources	Nancy Bitzer	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	Establish and implement an outreach and recruitment initiative outlining the agency's planned participation in job fairs and/or federal-specific events that target students and recent graduates.	Yes		
07/30/2023	Evaluate the sufficiency of RRB's recruitment and outreach activities to support the agency's succession planning and diversity initiatives.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.3

Brief Description of Program Deficiency:	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]
--	--

Establishment of timetables/schedules to review the merit promotion program,, employee recognition awards program, employment development/training programs, personnel policies, procedures and practices for systemic barriers that may impede full participation in the program by all EEO groups.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2020	10/01/2023			To establish schedules to review the agency's 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?

Responsible Officials

Title	Name	Standards Address the Plan?
Director, Office of Equal Opportunity (OEO)	Shiri Ndang	Yes
Human Resources Director	Nancy Bitzer	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	<p>June/July 2022 - Barrier analysis training for RRB OEO staff with MD-715 and data collection/analysis responsibilities.</p> <p>Sept 2022 - Establishment of a Barrier Analysis Workgroup to investigate barriers to EEO (hiring, retention & career development/advancement). Purpose of the workgroup is to leverage EEO data RRB-wide to conduct a comprehensive trigger analysis.</p> <p>Oct 2022 – Barrier Analysis Workgroup conducts its 1st quarter FY 2023 meeting to identify its priorities.</p>	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	<p>In September 2022, the Director of Equal Opportunity established a Barrier Analysis Workgroup which meets regularly to review data for trigger identification and trends.</p> <p>The HR Director and OEO Director also have bi-weekly meetings to discuss and follow up on pending matters and activities related to workforce and applicant data.</p>

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/03/2022	12/01/2022		09/01/2022	Evaluate agency needs and provide a project plan to Board staff and Executive Committee Chair.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of Equal Opportunity	Shiri Ndang	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

Accomplishments

Fiscal Year	Accomplishment
2022	The OEO Director briefed and reviewed EEOC Technical Assistance Review (TAR) letter with Board staff and Agency leadership. The OEO Director also provided a suggested plan of action to Board staff and Agency leadership.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
09/01/2022	09/30/2023			Hire a consulting firm to assist the agency with barrier analysis.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of Equal Opportunity	Shiri Ndang	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Accomplishments

Fiscal Year	Accomplishment
2022	On 09/26/2022, RRB contracted with a management consulting firm (EconSys, Inc.) to assist with barrier analysis. A comprehensive analysis of RRB's workforce and applicant data is ongoing at the time this report was drafted. The purpose of the comprehensive analysis is to both identify any data shortfalls or issues and to identify relevant triggers.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
09/01/2022	09/30/2022			Identify and establish a barrier analysis workgroup to facilitate barrier analysis projects

Responsible Officials

Title	Name	Standards Address the Plan?

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Accomplishments

Fiscal Year	Accomplishment

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/17/2023	09/30/2024			When barriers are identified, working groups will incorporate the EEO Action plans into the agency's strategic plan.

Responsible Officials

Title	Name	Standards Address the Plan?

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Railroad Retirement Board

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Plan to Attain Essential Elements

Accomplishments

Fiscal Year	Accomplishment
2023	-Barrier Analysis Project Teams A project team in OEO was initiated to review barriers for persons with disabilities. There is an ongoing review of workforce demographics, complaints, and various HR program data to identify potential triggers and/or potential barriers.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/17/2023	09/30/2023			For ongoing barrier analysis projects, identify managers and subject matter experts to work on barrier analysis projects.

Responsible Officials

Title	Name	Standards Address the Plan?

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Accomplishments

Fiscal Year	Accomplishment

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/17/2023	09/30/2024			For barriers identified, working groups will develop action plans to remove barriers.

Responsible Officials

Title	Name	Standards Address the Plan?

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Accomplishments

Fiscal Year	Accomplishment

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.4

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)]

Does the agency conduct exit surveys.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2021	10/01/2022			Meet with the Director of HR about re-establishing Exit Surveys.

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Pamela M. Tate	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
04/01/2021	Contacted the Director of HR to discuss the re-establishment of Exit Surveys and was informed that they (HR) has already begun the process to re-establish it. Will follow-up.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2021	10/01/2022		08/22/2022	Meet with the Director of HR about re-establishing exit surveys

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Shiri Ndang	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Accomplishments

Fiscal Year	Accomplishment
2022	RRB no longer considers this as a deficiency. In August 2022, the Director of Human Resources modified RRB's exit survey to include disability-related questions as a result of EEOC Technical Assistance Review recommendations.
2022	As part of RRB's IT Modernization rollout plan, the agency has re-established its exit survey which went live in mid-January 2022 via Microsoft Forms.

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I1

Source of the Trigger:	Other	
Specific Workforce Data Table:	A/B1, A/B7, A/B8	
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	During EEOC's Technical Assistance Review in 2022, they identified several triggers for PWD and PWTD involving the 2210 series, the senior grade levels, and possibly separations. RRB was instructed to establish a schedule for investigating the triggers and conduct barrier analysis..	
STATEMENT OF BARRIER GROUPS:	<p><i>Barrier Group</i></p> <p>All Men All Women Hispanic or Latino Males Hispanic or Latino Females Black or African American Males Black or African American Females Asian Males Asian Females</p>	
Barrier Analysis Process Completed?:	N	
Barrier(s) Identified?:	N	
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	Barrier Name	Description of Policy, Procedure, or Practice
	N/A	EEOC Technical Assistance Review instruction to study PWD and PWTD participation rate in the 2210 series, senior grade levels and separations..

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
01/31/2023	02/27/2024	Yes			Continued evaluation and investigation of this trigger involving PWDs and PWTDs in the 2210 series, senior grades and separations, as well as to determine appropriate recommendations and action(s).

Responsible Official(s)

Title	Name	Standards Address The Plan?
Director of Equal Opportunity	Shiri Ndang	Yes

Railroad Retirement Board

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Plan to Eliminate Identified Barriers

Responsible Official(s)

Title	Name	Standards Address The Plan?
Director of Human Resources	Nancy Bitzer	Yes

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
02/27/2024	The Office of Equal Opportunity (OEO) will establish an analysis workgroup in partnership with Human Resources, to further evaluate and determine the root cause of the lower-than-expected participation rate.	Yes		

Report of Accomplishments

Fiscal Year	Accomplishments
2023	In process of determination of existence of barrier(s).

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.2

Source of the Trigger:	Workforce Data (if so identify the table)
Specific Workforce Data Table:	Workforce Data Table - A7
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	Low participation rate of PWDs and PWTDS in new hires and promotions in the GS 13 to SES cluster. Trigger was identified through the review of HR data on accessions and promotions.

STATEMENT OF BARRIER GROUPS:	<i>Barrier Group</i> All Women Hispanic or Latino Males Hispanic or Latino Females Black or African American Males Asian Males Asian Females
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Barrier Analysis Process Completed?:	N
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Barrier(s) Identified?:	N
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STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	Barrier Name	Description of Policy, Procedure, or Practice
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Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
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Responsible Official(s)

Title	Name	Standards Address The Plan?
Director of Equal Opportunity	Shiri Ndang	Yes
Director of Human Resources	Nancy Bitzer	Yes

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
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Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

Report of Accomplishments

Fiscal Year

Accomplishments

Railroad Retirement Board

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.3

Source of the Trigger:	Workforce Data (if so identify the table)				
Specific Workforce Data Table:	Workforce Data Table - A1				
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	High rate of separation by PWDs and PWTDS from the agency. Trigger was identified through the review of HR data on separations.				
STATEMENT OF BARRIER GROUPS:	<i>Barrier Group</i> All Men All Women Black or African American Males Black or African American Females				
Barrier Analysis Process Completed?:	N				
Barrier(s) Identified?:	N				
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<table border="1"> <thead> <tr> <th>Barrier Name</th> <th>Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice				

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description

Responsible Official(s)

Title	Name	Standards Address The Plan?
Director of Equal Opportunity	Shiri Ndong	Yes

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date

Report of Accomplishments

Fiscal Year	Accomplishments

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 | No |

During FY 2022, RRB had a total of 745 employees in the permanent workforce of which 146 (or 19.2 percent) were employees with a disability (PWD). 59 employees in the GS-01 to GS-10 cluster and 87 employees in the GS-11 to SES cluster stated that they have a disability. The participation rate for PWD in the GS-01 to 10 cluster was 7.9 percent, which is below the target of 12%. RRB has a trigger for PWD in the GS-1 through GS-10 cluster. The participation rate for PWD in the GS-11 to SES cluster was 12 percent, which meets the target. Disability workforce data is employees who self-identify as having a disability.

*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 | Yes |
| b.Cluster GS-11 to SES (PWTD) | Answer | Yes |

During FY 2022, RRB had a total of 745 employees in the permanent workforce of which 27 (or 3.6 percent) were employees with a targeted disability (PWTD). 13 employees in the GS-01 to GS-10 cluster and 14 employees in the GS-11 to SES cluster stated that they have a targeted disability. The participation rate for PWTD in the GS-01 to 10 cluster was 1.7 percent, which is below the target of 2%. RRB has a trigger for PWTD in the GS-1 through GS-10 cluster. The participation rate for PWTD in the GS-11 to SES cluster was 1.9 percent, which is also below the target of 2%. RRB has a trigger for PWTD in the GS-11 to SES cluster. Disability workforce data is employees who self-identify as having a disability.

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

During FY 2022, the OEO Director raised the awareness of the Model Disability Program goals through briefings and an EEOC Technical Assistance Outreach visit for Board and Executive Committee members. OEO continues to provide the Board and agency leadership with monthly hiring and separations summaries. Additional OEO outreach activities include, but are not limited to, working with the Employees with Disabilities Council (EDAC) and RRB's American Legion group. In FY 2022, the OEO Director participated in quarterly Equal Employment Opportunity Commission Federal Exchange on Employment and Disability (FEED) meetings. To assist with recruitment, the Director of Equal Opportunity in FY 2022 also has shared leads on career and job fair leads with HR staff.

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

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	Scott Rush Supvy Facility Operations Specialist Scott.Rush@rrb.gov
Special Emphasis Program for PWD and PWTD	0	0	1	Kathy Robinson EEO Specialist Kathy.Robinson@rrb.gov
Section 508 Compliance	0	0	1	Robert LaBerry Supvy IT Specialist Robert.Laberry@rrb.gov
Processing reasonable accommodation requests from applicants and employees	0	0	1	Regina Block HR Specialist/Labor Relations Regina.Block@rrb.gov
Processing applications from PWD and PWTD	0	0	1	Meghan O'Connor Lead HR Specialist/SPC Meghan.O'Connor@rrb.gov
Answering questions from the public about hiring authorities that take disability into account	0	0	1	Meghan O'Connor Lead HR Specialist/SPC Meghan.O'Connor@rrb.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

During FY 2022, disability program staff received training on the following topics: reasonable accommodation, EEO updates, and accessibility (ABA) in the workplace.

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

Section III: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

Selective Placement Program Coordinator (SPPC) in the Bureau of Human Resources receives inquiries from job applicants with disabilities, including individuals with targeted disabilities via email. Staffing Specialists in the Staffing and Classification Unit in the Bureau of Human Resources receive applications from applicants with disabilities, including individuals with targeted disabilities, through the application process. The specialists review the provided documentation and make a determination as to whether the applicant is eligible for veterans' preference. The specialists collaborate with the SPPC as necessary.

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 RRB is restricted in its use of special appointment authorities based on the Railroad Retirement Act (RRA) and the Railroad Unemployment and Insurance Act (RUIA). Both the RRA and the RUIA mandate that all positions within the RRB must be in the competitive service with the exception of only 3 positions (assistant to Board Members). The agency is therefore restricted in its use of special appointment authorities and is limited to authorities that permit non-competitive hiring into competitive service positions. The RRB does not have the ability to use Schedule A hiring authority (non-competitive hiring) as it is an excepted service authority and our establishing legislation prohibits the use of most excepted service authorities, including Schedule A. This response stems from the Powers and Duties of the Board section of the RRA of 1974. The specific language is located in 45 USC 231f(b)(9). Nevertheless, our agency has created work-arounds for this limitation to comply with other OMB rules, such as hiring attorneys, students, and recent graduates as excepted service.

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.

Individuals do not apply for a position under a hiring authority that takes disability into account because we do not have authority to hire under these special authorities as stated above.

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 N/A

We do not have hiring authority under Schedule A and therefore, no training is provided on Schedule A. The RRB does not have the ability to use Schedule A hiring authority (non-competitive hiring) as it is an excepted service authority and our establishing legislation prohibits the use of most excepted service authorities, including Schedule A. This response stems from the Powers and Duties of the Board section of the RRA of 1974. The specific language is located in 45 USC 231f(b)(9). Nevertheless, our agency has created work-arounds for this limitation to comply with other OMB rules, such as hiring attorneys, students, and recent graduates as excepted service.

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.

Internally, RRB has an Employees with Disabilities Advisory Council (EDAC), which serves as an advocate and catalyst for change and also helps to provide strategic direction. Externally, RRB engages with various related Affinity Groups. Since FY2020, the Bureau of Human Resources has established and maintained contacts with eleven organizations that assist PWDs and PWTDS. These organizations include the Chicago Lighthouse, Aspire Non-Profit, Trinity Services, Inc., Search, Inc., Goodwill Chicago, America Works, the City of Chicago, the Department of Human Services, Independent Living and Transition Advocate Progress Center, and Southwest American Job Center. HR has secured a designated contact person including their email address and telephone number at each of these organizations. HR sends our vacancy notices to them and in turn they disseminate the information to clients being serviced by their organization. Continuing throughout FY 2022, HR staff was not able to attend in-person career fairs due to COVID-19.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

- a. New Hires for Permanent Workforce (PWD) Answer Yes
- b. New Hires for Permanent Workforce (PWT) Answer Yes

The hiring rate for PWD in FY 2022 was 15 or 2% which is below the EEOC target of 12%. The hiring rate for PWT in FY 2022 was non-existent (0). None of RRB’s new hires in FY 2022 was a PWT, which is also below the EEOC target of 2%.

2. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWT 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 Yes
- b. New Hires for MCO (PWT) Answer Yes

2 (or 0.3 percent) PWDs were hired in FY 2022 for MCO 2210 (Information Technology). 8 (or 1.1 percent) PWDs were hired in FY 2022 for MCO 0993 (Railroad Retirement Claims Examining). No PWDs was hired in FY 2022 in the following MCO series: 0301 (Miscellaneous Administration & Program). No PWTs were hired in FY 2022 for the following MCO series: 2210 (Information Technology), 0993 (Railroad Retirement Claims Examining) and 0301 (Miscellaneous Administration & Program)

3. Using the relevant applicant pool as the benchmark, do triggers exist for PWD and/or PWT 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 (PWT) Answer N/A

RRB uses the services of OPM (USA Staffing) for the collection of applicant flow data (AFD). Currently, USA Staffing does not capture interview data (Tables A/B7 & A/B8). This limitation is a common challenge among all USA Staffing customers. RRB will explore short-term strategies using agency’s internal HR data as a temporary workaround USA Staffing limitations.

4. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWT 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 No
- b. Promotions for MCO (PWT) Answer No

Disability Promotion in FY 2022 (TOTAL PROMOTIONS – 102), Number # of Promotions who were PWD = 18 or 17.6 percent, Number # of Promotions who were PWTs = 2 or 2 percent, Due to applicant flow data limitations during FY 2022, RRB is still working on drill down promotion data for MCOs.

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.

All managers and supervisors are encouraged to promote the career development of all employees, including individuals with disabilities and individuals with targeted disabilities. OEO continues to promote workplace diversity goals and opportunities through the Employees with Disabilities Advisory Council (EDAC).

B. CAREER DEVELOPMENT OPPORTUNITES

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

RRB has a variety of career development programs that require supervisory approval but not competition, including: (1) Executive coaching; (2) Pathways internships as of FY 2023; (3) multiple training opportunities for employees at all grade levels; and (4) training program for new supervisors. RRB continues to use career ladder promotions as a recruitment strategy to hire at the entry level with development, growth, and promotion potential. In addition, RRB employees also have access to training/career development courses through the following means: • RRB University is the agency’s learning management system (LMS) and the official system of record for all training and development records. The system delivers both mandatory and developmental training assignments and opportunities. RRB University’s learning resources can also be used as quick references, as practical job aids to gain in-depth knowledge, or to practice skills. • Treasury Executive Institute (TEI) – In partnership with the Department of Treasury, RRB routinely promotes the use of the TEI for leadership development for GS 14s, GS 15 and SES. TEI’s leadership development programs align with the Office of Personnel Management (OPM) Executive Core Qualifications (ECQ) and their supporting competencies. In addition, TEI provides coaching, a powerful tool for any RRB manager seeking to develop others and maximize employee performance and engagement. • On a yearly basis, the RRB also encourages all employees to complete and submit to their supervisor an Individual Development Plan (IDP). The RRB hosts workshops and opportunities for any employee interested in participating in the IDP process.

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	N/A	N/A	N/A	N/A	N/A	N/A
Mentoring Programs	N/A	N/A	N/A	N/A	N/A	N/A
Coaching Programs	N/A	N/A	N/A	N/A	N/A	N/A
Training Programs	N/A	N/A	N/A	N/A	N/A	N/A
Detail Programs	N/A	N/A	N/A	N/A	N/A	N/A
Other Career Development Programs	N/A	N/A	N/A	N/A	N/A	N/A
Fellowship Programs	N/A	N/A	N/A	N/A	N/A	N/A

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

Not applicable. The Agency does not have career development programs that require competition.

4. Do triggers exist for PWTB 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 (PWTB) Answer N/A
- b. Selections (PWTB) Answer N/A

Not applicable. The Agency does not have career development programs that require competition.

C. AWARDS

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

- a. Awards, Bonuses, & Incentives (PWD) Answer No
- b. Awards, Bonuses, & Incentives (PWTB) Answer No

2. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTB 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 (PWTB) Answer No

3. If the agency has other types of employee recognition programs, are PWD and/or PWTB 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 (PWTB) Answer N/A

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

RRB uses the services of OPM (USA Staffing) for the collection of applicant flow data (AFD). Currently, USA Staffing does not capture interview data (Tables A/B7 & A/B8). This limitation is a common challenge among all USA Staffing customers. RRB will explore short-term strategies using agency's internal HR data as a temporary workaround USA Staffing limitations. However, our current FY 2022 show that there were 20 promotions (internal and external) in the GS 13 to SES cluster. Of the 20 promotions, PWDs accounted for 5 or 20 percent. No PWTBs were promoted.

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

RRB uses the services of OPM (USA Staffing) for the collection of applicant flow data (AFD). Currently, USA Staffing does not capture interview data (Tables A/B7 & A/B8). This limitation is a common challenge among all USA Staffing customers. RRB will explore short-term strategies using agency's internal HR data as a temporary workaround for USA Staffing limitations. However, our current FY 2022 data shows that there were 20 promotions (internal and external) in the GS 13 to SES cluster. Of the 20 promotions, PWDs accounted for 5 or 25 percent. Of the 5 promotions, 1 PWD or 5 percent was selected for an internal promotion and 4 PWDs or 20 percent were external selection. No PWTDs or 0 percent were promoted.

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

RRB uses the services of OPM (USA Staffing) for the collection of applicant flow data (AFD). Currently, USA Staffing does not capture interview data (Tables A/B7 & A/B8). This limitation is a common challenge among all USA Staffing customers. RRB will explore short-term strategies using agency's internal HR data as a temporary workaround for USA Staffing limitations. However, our current FY 2022 data shows that there were 20 promotions (internal and external) in the GS 13 to SES cluster. Of the 20 promotions, 4 PWDs or 20 percent were new hires (external). No PWTDs were promoted.

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

RRB uses the services of OPM (USA Staffing) for the collection of applicant flow data (AFD). Currently, USA Staffing does not capture interview data (Tables A/B7 & A/B8). This limitation is a common challenge among all USA Staffing customers. RRB will explore short-term strategies using agency's internal HR data as a temporary workaround USA Staffing limitations. However, our current FY 2022 data show that there were 20 promotions (internal and external) in the GS 13 to SES cluster. Of the 20 promotions, no PWTDS was selected.

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

RRB uses the services of OPM (USA Staffing) for the collection of applicant flow data (AFD). Currently, USA Staffing does not capture interview data (Tables A/B7 & A/B8). This limitation is a common challenge among all USA Staffing customers. RRB will explore short-term strategies using agency's internal HR data as a temporary workaround for USA Staffing limitations. However, our current FY 2022 data shows that there were 20 promotions (internal and external) in the GS 13 to SES cluster. Of the 20 promotions, PWDs accounted for 5 or 20 percent. No PWTDS were promoted.

6. Does your agency have a trigger involving PWTDS 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 (PWTDS)	Answer	N/A
ii. Internal Selections (PWTDS)	Answer	N/A

b. Managers

i. Qualified Internal Applicants (PWTDS)	Answer	N/A
ii. Internal Selections (PWTDS)	Answer	N/A

c. Supervisors

i. Qualified Internal Applicants (PWTDS)	Answer	N/A
ii. Internal Selections (PWTDS)	Answer	N/A

RRB uses the services of OPM (USA Staffing) for the collection of applicant flow data (AFD). Currently, USA Staffing does not capture interview data (Tables A/B7 & A/B8). This limitation is a common challenge among all USA Staffing customers. RRB will explore short-term strategies using agency's internal HR data as a temporary workaround USA Staffing limitations. However, our current FY 2022 show that there were 20 promotions (internal and external) in the GS 13 to SES cluster. Of the 20 promotions, PWDs accounted for 5 or 20 percent. No PWTDS were promoted.

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
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b. New Hires for Managers (PWD) Answer N/A

c. New Hires for Supervisors (PWD) Answer N/A

Of the 20 promotions, no internal and external PWDs were selected.

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

Of the 20 promotions, no internal and external PWTd was selected.

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

The agency is restricted from using Schedule A.

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 Yes

b. Involuntary Separations (PWD) Answer Yes

During FY 2022, RRB had 116 voluntary and 7 involuntary separations. PWDs accounted for 30 or 24.4 percent of total separations.

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 Yes

b. Involuntary Separations (PWTd) Answer Yes

During FY 2022, RRB had 116 voluntary and 7 involuntary separations. PWTd accounted for 6 or 5 percent of total separations.

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.

Exit interview results for FY 2022 are not reliable (incomplete) because RRB only added disability related questions to our exit survey in August 2022. Preliminary review of 2022 exit separations indicate that most employees transferred to another federal agency for a promotion or better opportunity.

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

The RRB public facing website which explains how to file a formal complaint under Section 508 is (<https://www.rrb.gov/Resources/OfficeOfEqualOpportunity/Nondiscrimination>).

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

The address <https://www.rrb.gov/Policy#aba> contains information on rights associated with Section 508 of the Rehabilitation Act; however, the site does not include information on how to file a related complaint.

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.

RRB continues to ensure access to our facilities for people with disabilities. RRB covers the 508 requirements as part of all new internally developed applications and Commercial Off-the-Shelf (COTS) purchases. Any information published on the agency's public website is checked and confirmed to be 508 compliant prior to publication. Job applications are processed through USAJOBS.

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.)

30 days.

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

RRB effectively operates a Reasonable Accommodation Program, including having a designated Reasonable Accommodation Coordinator. During FY 2022, RRB received and timely processed 15 reasonable accommodation requests. RRB highlights disability topics through information and articles in the OEO newsletter. RRB includes information about Special Emphasis Observances and the Reasonable Accommodation Program on its intranet webpage; The RRB Reasonable Accommodation Coordinator provides a briefing to all new employees during orientation on reasonable accommodation procedures. In addition, the information is available on the intranet via the Bureau of Human Resources Employee link entitled "Accommodation for Individuals with Disabilities" at: <http://boardwalk.intappsprod.usrrb.ad.local/rrbintranet/default.asp?division=Office+of+Administration&group=Bureau+of+Human+Resources&subgroup=Accommodation+for+Individuals+with+Disabilities> and on the agency's public website at: <https://www.rrb.gov/Resources/OfficeOfEqualOpportunity/EEOPolicies>

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.

RRB's PAS procedure is included in the agency's Reasonable Accommodation Policy. RRB had no request for PAS in FY2022, thus no data is available on this. PAS training is incorporated into the mandatory RA training for supervisors.

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 had no findings of discrimination alleging harassment based on a disability during FY2022.

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 RRB had no findings of discrimination involving the failure to provide a reasonable accommodation during FY2022.

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 N/A

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.

While no barriers have yet been identified, PWD and PWTD-related triggers are the single highest priority of the trigger areas being investigated in FY 2023 (as identified in Part I). The PWD/PWTD triggers related to low participation of PWD and PWTD in 3 MCOs (2210, 0993, 0301)and senior grades are described in Part J. The high separation rate of PWDs and PWTDS in FY 2022 will also be investigated. One overarching factor that impacts the ability of the agency to conduct effective barrier analyses of PWD and PWTD is the accuracy of its disability status, recruitment and outreach data.

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

While no barriers have yet been identified, PWD and PWTD-related triggers are the single highest priority of the trigger areas being investigated in FY 2023 (as identified in Part I). The PWD/PWTD triggers related to low participation of PWD and PWTD in 3 MCOs (2210, 0993, 0301)and senior grades are described in Part J. The high separation rate of PWDs and PWTDS in FY 2022 will also be investigated. One overarching factor that impacts the ability of the agency to conduct effective barrier analyses of PWD and PWTD is the accuracy of its disability status, recruitment and outreach data.

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.

N/A