

Railroad Retirement Board

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

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

<b>PART B</b> Total Employment	<b>1.</b> Enter total number of permanent full-time and part-time employees	<b>1.</b> 826
	<b>2.</b> Enter total number of temporary employees	<b>2.</b> 16
	<b>3. TOTAL EMPLOYMENT [add lines B 1 through 2]</b>	<b>4.</b> 842

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

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<b>PART D</b> List of Subordinate Components Covered in This Report	<b>Subordinate Component and Location</b> (City/State)	<b>Country</b>	<b>Agency Code</b>
<b>EEOC FORMS and Documents</b>	<b>Required</b>	<b>Uploaded</b>	
Agency Strategic Plan	Y	Y	
Anti-Harassment Policy and Procedures	Y	Y	
EEO Policy Statement	Y	Y	
Organization Chart	Y	Y	
Alternative Dispute Resolution Procedures	Y	Y	
Reasonable Accommodation Procedure	Y	Y	
Personal Assistance Services Procedures	Y	Y	
EEO Strategic Plan	N	Y	
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	
Human Capital Strategic Plan	N	N	
Disabled Veterans Affirmative Action Program (DVAAP) Report	N	Y	

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**EXECUTIVE SUMMARY: MISSION**

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 old 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 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.

The Office of Equal Opportunity (OEO) provides leadership, direction and guidance in carrying out the RRB's equal opportunity and civil rights responsibilities. OEO administers the agency-wide Equal Employment Opportunity (EEO) programs by initiating policy as well as by implementing and enforcing a variety of Federal Laws, Executive Orders and regulations that relate to EEO. The Equal Employment Opportunity Commission (EEOC) Management Directive 715 describes elements that are considered essential for a model EEO program. OEO conducted their annual self-assessment which includes comparing the RRB program against benchmark elements.

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

**1. Essential Element A: Demonstrated Commitment from Agency Leadership:** *The Agency's EEO Program meets the requirements of Essential Element A.*

A. The agency issues an effective, up-to-date Policy Statement:

- The agency issued the EEO Policy Statement in September 2020 declaring the agency's position against discrimination on all protected basis. The statement was signed by the three Presidential Appointed Board Members and is posted on every floor in the RRB headquarters building and in every RRB field office.

B. The agency has communicated EEO policies and procedures to all employees.

- The agency has all EEO policies and procedures such as the anti-harassment policy, reasonable accommodation procedures and other EEO program information downloaded on the internal agency's intranet as well as on the public website.
- The name of the Director of EEO is listed on the agency's website and the names of the EEO Specialist (Chair) and the special emphasis committee members are posted on the agency's internal intranet system for all employees to view.
- The agency's reasonable accommodation procedure which includes the personal assistance services procedures, and other written materials concerning the EEO program is posted on the agency's internal intranet system.
- OEO provides training on the EEO policies through the RRB on-line Learning Management System known as RRB University. This training is tracked to ensure everyone completes it.
- OEO provided EEO language to be include on all manager's performance appraisals so that they can be recognized for their accomplishments in equal employment opportunity. And, EEO sub-element is being included in all manager's performance appraisals beginning October 2020.

**2. Essential Element B: Integration of EEO into the Agency's Strategic Mission: The Agency's EEO Program meets the requirements of Essential Element B.**

The Office of Equal Opportunity (OEO) serves as a resource to RRB managers by providing direction, guidance and monitoring of key activities to achieve a diverse workplace free of barriers to equal opportunity. The agency's EEO program is organized and structured to maintain a workplace that is free from discrimination in management policies, practices and/or procedures.

- The RRB does not have a traditional single person "Agency Head". The agency is headed by a three member Board appointed by the President of the United States. One Board Member is appointed upon the recommendation of the Rail Employers, one is appointed upon the recommendation of the Rail Labor Organizations and the third is appointed to represent the public interest. The Board Members' terms of office are 5 years. The Director of Equal Opportunity reports to the Head of the Agency, who are the three Board Members.
- The RRB values its workforce and is committed to having an agency that welcomes and thrives on diversity. This commitment is reiterated in the Agency's Strategic Plan which states in part that the agency will recruit and hire a high-performing workforce that reflects the diversity of all segments of the American society. The OEO Strategic Plan includes the following objectives: 1) identify and remove barriers to allow the building of a diverse workforce; 2) develop programs and activities to educate RRB personnel on disability and diversity issues; 3) assist in succession planning for the agency; and 4) encourage mentoring..
- The EEO Director controls all aspects of the EEO program and has direct access to the Head of the Agency, and their assistants to inform them of the effectiveness, efficiency and legal compliances of the agency's EEO program. The EEO Director ensures timely compliance with EEOC orders and evaluates the EEO program and recommends improvements to the Agency Head. The EEO Director also ensures that complaint counselings, investigations and final agency actions are completed timely.
- The EEO Director does not currently participate in senior-level staff meetings concerning personnel, budget, technology and other workforce issues, but during FY2020 she met with the Executive Committee (EC) about this concern and was provided with the opportunity to review and offer comments on the EC policy revisions regarding workforce issues prior to final implementation.

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

- The agency has sufficient budget and staffing to support the success of the EEO program. OEO is staffed by the EEO Director and the EEO Specialist who is the complaints manager and oversees all special emphasis committees and programs. The RRB is a small agency and in lieu of personnel being assigned as special emphasis program managers, the RRB has three committees: (1) the Workplace Diversity Committee (WDC); (2) the Employees with Disabilities Advisory Council (EDAC); and (3) the Federal Women's Program Committee (FWPC). Each group assists in planning and carrying out traditional commemorative events and informational programs on various aspects of workplace diversity and disability issues. The EDAC also provides recruitment resources and input on issues that affect their co-workers who have a disability.
- EEO is an independent organization reporting directly to the Board and is responsible for its own budget.
- We have two experienced Adhoc EEO Counselors and they did receive the 8-hour annual refresher training in FY2020. We did not recruit any new Counselors during FY2020.
- The Director of Equal Opportunity and the EEO Specialist provided training to new supervisors and managers regarding their responsibilities under the EEO program and civil rights laws.
- The special emphasis programs were implemented with the assistance of the senior managers. The managers must provide employees with time to attend these programs and the senior managers attend as well to show their commitment to the EEO program.

**3. Element C: Management and Program Accountability. The agency's EEO program meets the requirements of Essential Element C:**

- OEO reviewed reports reflecting activity for personnel actions such as promotions, awards, accessions and separations. Thus, changes in the workforce are monitored on a continuous basis. This information is transmitted to all bureau/office heads by means of the OEO monthly administrative report which contains statistical updates on the status of employment activity.
- The agency has established procedures, including the Anti-Harassment Procedure and the EEO Complaint Process, to assist in preventing all forms of EEO discrimination in the workplace. OEO requested input of other organizations to create a new anti-harassment policy to establish a firewall between the EEO Director and the Anti-Harassment Coordinator to avoid a conflict of interest. The new anti-harassment policy and procedure was forwarded to EEOC in FY2020. OEO is no longer involved in the decision-making process on complaints of harassment per EEOC guidance.
- The Agency's Reasonable Accommodation Procedure, which includes the Personal Assistance Services Procedures, comply with EEOC regulations. The Reasonable Accommodation Coordinator works within the Department of Human Resources. Language was added to all job announcements indicating how an applicant could request a reasonable accommodation, if needed. The Reasonable Accommodation Procedures, the EEO Complaint procedure, the Notification and Federal Employee Anti-discrimination and Retaliation Notice (No FEAR Act) are among several documents pertaining to EEO that are posted on the agency's website, the RRB intranet and bulletin boards located at headquarters and field offices. The EEO Handbook, which was updated in FY2020, also includes all of the agency's EEO policies, procedures and programs. During orientation, all new employees receive an EEO packet of materials which includes the handbook, the reasonable accommodation procedure and the No FEAR Act information.
- A performance standard is included in all Senior Executive Service employee's performance appraisal. During FY2019 and again in FY2020, OEO and HR met and established language to be included as a sub-element on all manager's performance appraisals for FY2020. This sub-element was included on all manager's performance appraisals with an effective date of October 2020. Now we can establish an EEO award program or some type of recognition to those who support the EEO program.
- The agency's Table of Penalties include penalties that pertain to those who violate EEO laws and regulations. The Table of Penalties was removed by HR, without notification to EEO, but we are working to reestablish it.
- Intermittent reviews of agency policies and procedures are conducted without a formal timetable.

**4. Essential Element D: Proactive Prevention of Unlawful Discrimination. The agency's EEO program meets the requirements of Essential Element D.**

- The agency no longer conducts exit interviews. This was in HR's department and OEO was informed that they do not have the manpower to conduct the surveys any longer.
- OEO reviews agency policies, procedures and practices and have identified no barriers in the workplace. As stated earlier, the RRB is a small agency and discriminatory policies or practices would easily come to light.
- Complaints of discrimination during FY2020 involved non-selection and reasonable accommodation issues. In review, we found no practice of the agency promoting certain races of people, people of a particular age, certain genders or people with or without a disability. The panel material was reviewed and the selections were based on the employees knowledge, skills and abilities.

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

- The EDAC has worked with HR to establish organizations that assist people with disabilities in returning to the workforce. EDAC found a number of organizations and forwarded the information to HR in order to establish a point of contact for the posting of our vacancy announcements.
- 5. Essential Element E: Efficiency. The agency's EEO program meets the requirements of Essential Element E.**
- The agency maintains an efficient, fair, and impartial complaint resolution process. The agency has collateral duty EEO Counselors and we secure contracted investigators for formal complaints. All employees/applicants who file an informal complaint of discrimination receives a Rights and Responsibilities booklet when they first contact the OEO. Contracted investigators are held accountable for poor work product and/or delays of complaint report of investigation files. All files and required documents are downloaded in proper format to EEOC through the Federal Sector EEO Portal (FedSEP).
  - All RRB EEO Counselors received the required 8 hour refresher training.
  - Sufficiency reviews are conducted within the OEO by the Director and the EEO Specialist. No one in the RRB law department reviews the report in advance of the complainant requesting a hearing before EEOC. The law department is not included in the counseling or the investigation stage. The law department does prepare the final agency decision for the agency.
  - ADR is offered to everyone who files a complaint of discrimination/harassment except those who file a sexual harassment complaint. Managers and supervisors have a duty to participate in the ADR process once it is elected. Those who elect ADR usually settle their complaint during the informal stage.
  - All complaints were processed within the required timeframes; from the counseling stage to the final action.
  - The RRB timely submitted its annual EEOC Form 462 report which details the agency's complaint activity during FY2020. As required by the No FEAR Act, updates of the statistical data pertaining to the complaints of discrimination filed by employees and applicants for employment were posted quarterly on the agency's website. The annual No FEAR Act was timely submitted to the required congressional entities and government agencies including the EEOC.
  - The Office of General Counsel (OGC) represents the agency in EEO complaints at the hearing stage. The attorneys do not get involved during the counseling or investigation stage. When a Final Agency Decision (FAD) is requested, the OGC in consultation with the 3-Member Board, is responsible for the FAD. To preserve the fairness in the processing of complaints, in the event of litigation the attorney responsible for the hearing proceedings would not handle any later litigations on that particular complaint.
- 6. Essential Element F: Responsiveness and legal compliance. The agency's EEO program meets the requirements of Essential Element F.**
- During FY2020, the agency revised the language in the Reasonable Accommodation Policy and created a Power Point training that was uploaded to RRB University as a mandatory training for all managers. The policy was approved by EEOC.
  - When a Complainant requested a hearing, their complaint file was timely submitted to EEOC.
  - The agency timely and accurately submitted the No FEAR Act report to EEOC.
  - The agency timely posted its quarterly No FEAR Act data on its public webpage. This was completed by the 15th of the month following the end of the quarter.

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**EXECUTIVE SUMMARY: WORKFORCE ANALYSES**

For the purpose of this report, the benchmark used for examining our workforce demographics is the 2010 Civilian Labor Force (CLF) data. The CLF represents the employment availability of classes of people by race, ethnicity and sex. Due to the application of percentages for the various reporting categories, small employment fluctuations become amplified and the "underrepresentation" is often misleading. As a result, the data may appear to signal that an employment barrier may exist when it does not.

In addition to the headquarters office located in Chicago, the RRB has 53 district offices throughout the United States, with staff ranging from two (2) to eight (8) employees. Therefore, the RRB hires from all regions of the United States. Vacancies are posted nationwide. During FY2020, a total of fifty-nine (59) individuals were hired. A total of twenty-one (21) of those new hires represents 35% that indicated they had a disability. Of the new hires 2 individuals (3%) had a targeted disability. Although, it was our goal to hire more individuals in FY2020, the total permanent workforce decreased from 851 in FY2019 to 842 in FY2020.

In terms of how the workforce representation compares to the CLF, the percentage of Hispanic males is 4.75% compared to the CLF which is 5.17%. However, the RRB employed 40 Hispanic males in FY2020 which is an increase from 36 in FY2019. Total Hispanic females slightly decreased from 44 in FY2019 to 42 in FY2020, however the RRB workforce percentage of Hispanic Females of 5% remained higher than the CLF of 4.79%. White males represent 24.70% of RRB workforce which is a slight decrease from 25.38% in FY2019 but still lower than the CLF of 38.33%. During FY2020, white females represented 20.43% of the workforce (172) which is a slight decrease from 21.87% (187) in FY2019 and lower than the CLF of 34.03%. The RRB employed a total of 92 Black males which represents 11% of the workforce in FY2020 which slightly increased from 10.41% in FY2019 and higher than the CLF of 5.49%. Black females totaled 238 or 28% of the workforce which was a slight increase from 27.60% in FY2019 and is higher than the CLF of 6.53%. Black females represent the largest percentage of the workforce. A total of 23 Asian males represented 2.73% of the FY2020 workforce which increased from 2.69% in FY2019 and higher than the CLF of 1.97%. Asian females totaled 14 or 1.66% of the workforce which slightly increased from 1.29% of the workforce in FY2019 and lower than the CLF of 1.93%. Native American, Pacific Islanders and employees who showed 2 or more races represent less than 1% of the workforce which remained the same from FY2019 and relatively the same as compared to the CLF.

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**EXECUTIVE SUMMARY: ACCOMPLISHMENTS**

The following highlights many of the RRB's FY2020 program activities:

- Issued the Agency's EEO Policy Statement
- Conducted EEO training for new supervisors
- Sponsored four diversity programs throughout the year including Native American, Disability Awareness, Black History, and Hispanic Heritage Month programs.
- Processed all complaints in accordance with EEOC's regulatory timeframes;
- Created and presented an 8-hour refresher training for EEO Counselors.
- Prepared and submitted all required reports to oversight agencies;
- Provided guidance and assistance on a continuing basis to customers including (1) employees with EEO concerns, (2) employees with non-EEO issues who wanted guidance on how to handle a workplace dispute. (3) managers who had questions about how to deal with a situation or an inquiry about the EEO process, (4) AFGE officials who requested assistance and (5) external customers who requested assistance with an EEO or non-EEO related matter. Employees feel comfortable talking to OEO about their concerns because we provide a safe place where they can vent their frustrations and discuss possible solutions. Managers feel confident that they have received proper information and/or guidance.
- Revised the Anti-Harassment Policy and created a Power-Point training for all employees;
- Worked with HR to include an EEO sub-element on all manager's performance appraisals;
- Updated the Sexual Harassment Policy. All 3 Board Members signed it and it is posted on every floor at headquarters and in every field office.
- Updated and renamed the Policy on Hiring Individuals with Disabilities to Plan For Increasing and Maintaining The Employment of Individuals with Disabilities.
- Updated the EEO Handbook to include the revised Anti-Harassment Policy procedure.
- Provided State of the Agency to the Board Members and their designees



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**EXECUTIVE SUMMARY: PLANNED ACTIVITIES**

The planned activities for FY2021 include the following"

- Update the EEO Handbook for compliance with EO 13988.
- Update the in-house No FEAR Act training video for release for FY2021.
- Promote on-line Diversity programs for Black History month, Women's History month, Asian Pacific Heritage month, Hispanic Heritage month, Native American History month and a Disability awareness in Employment month due to COVID-19 restrictions.
- Re-establish award for manager's who show support for EEO activities
- Analyze internal selections by requesting all panel information whether or not a complaint is filed
- Conduct EEO training for new supervisors
- Offer Refresher training to all EEO Counselors
- Revise the power point training on the Reasonable Accommodation policy
- Process all complaints in accordance with EEOC's regulatory timeframes;
- Re-establish the Exit Survey and mail it to all employees who separated from service in the previous fiscal year to determine whether their departure was prompted by any form of discrimination at the RRB.
- Provide a "State of the Agency" to the agency Board Members and/or their designees.

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CERTIFICATION of ESTABLISHMENT of CONTINUING  
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

Pamela M. Tate

am the

(Insert Name Above)

(Insert official  
title/series/grade above)

Principal EEO Director/Official for

Railroad Retirement Board

(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 *Pamela M. Tate*  
Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with  
EEO MD-715.

Date 6/14/2021

Signature of Agency Head or Agency Head Designee **STEPHANIE HILLYARD**  
FOR THE BOARD  
Secretary to the Board  
Digitally signed by  
STEPHANIE HILLYARD  
Date: 2021.06.28  
15:45:31 -05'00'


Date 06/28/2021

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Agency Self-Assessment Checklist



Essential Element: A Demonstrated Commitment From agency Leadership

 Compliance Indicator	Measures	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
	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 in every field office. 9/4/2020
A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.		X			Yes. parental status, marital status, political affiliation, military service and other non-merit based factors.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.2. The agency has communicated EEO policies and procedures to all employees.				
A.2.a. Does the agency disseminate the following policies and procedures to all employees:					
A.2.a.1. Anti-harassment policy? [see MD 715, 11(A)]					
		X			Yes. 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			Yes. 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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Agency Self-Assessment Checklist

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

X

Yes. The EEO 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 Counselor's are not listed because employees must contact the EEO Director.

A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR §1614.102(b)(5)]

X

Yes, we 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.

A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.

X

Yes. <https://www.rrb.gov/Resources/OfficeOfEqualOpp/EEOPolicies>.

A.2.c. Does the agency inform its employees about the following topics:

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Agency Self-Assessment Checklist

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

Yes. Explanation of the EEO complaint process is given in the mandatory No FEAR Act bi-annual training. It is also posted on the internal intranet, the public website and on the poster board posted in every RRB office and each floor at headquarters. The Office of Equal Opportunity (OEO) has a Rights and Responsibilities Complaints Booklets explaining the complaint process in paper and online.

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

X

Yes. Explanation of the ADR process is included in the mandatory No FEAR Act bi-annual training and is posted on the EEO Programs poster on every RRB floor and in every field office. The OEO has written materials and a video about ADR that is accessible to all employees on RRB Vision.

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Agency Self-Assessment Checklist

<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>Yes. An explanation of the Reasonable Accommodation program is included in the mandatory No FEAR Act bi-annual training and is posted on the EEO Program poster that is posted on every RRB floor at headquarters and in every field office. The OEO has written materials for employees.</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>Yes. Explanation of the Anti-harassment program is included in the mandatory No FEAR Act bi-annual training and it is posted on the EEO Programs poster that is posted on every RRB floor in headquarters and in every field office. The policy is on the public website and the agency's internal intranet. It was revised in 2020 to remove the investigation from the OEO to the Office of Administration.</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>Yes. This is included in the Anti-Harassment policy and is explained in the No FEAR Act training provided to all RRB employees every 2 years.</p>

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.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		The Office of Equal Opportunity (OEO) collaborated with HR to have EEO language be included as a sub-element on all managers performance appraisal for FY2020. This was not put on appraisals until FY2021. This can be used as a tool to notate accomplishments in EEO. We can then ask to forward any and all "write-ups" about performance to us for recognition.
	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			Yes we do.



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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			Yes. The head of the RRB is a three member board appointed by the President of the U.S. The EEO 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 EEO Director reports to the 3 member Board
	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			Yes, the agency's organizational chart clearly defines the reporting structure for the EEO office.
	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			Yes. The EEO office is located on the same floor with the 3 member board. The Board or their assistants are always open to meeting with the EEO Director on issues about the efficiency and legal compliance of the agency's EEO program.
	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 EEO Director provided a "State of the Agency" report to the Board Members and their assistants in FY2020.

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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

No. However, 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 during FY2020.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.2. The EEO Director controls all aspects of the EEO program.				
	B.2.a. Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			Yes. The EEO Director implements and updates the affirmative employment program.
	B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			Yes. The EEO Director and the EEO Specialist jointly oversee completion of EEO counselings.
	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			Yes. The EEO Director and the EEO Specialist oversee the fair and thorough investigation of EEO complaints.
	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			Yes. We work with the Office of the General Counsel to ensure timely issuance of all final agency decisions.
	B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			Yes.
	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			Yes.
	B.2.g. If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (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			If the meeting involves EEO issues, the EEO Director is included. Sometimes it may be a review of the recruitment strategies, vacancy projections, succession planning, etc., prior to implementation
	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			Yes. The RRB Strategic Plan states that "The RRB will continue to recruit and hire a high-performing 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			We supplement the staffing with three EEO committees, (Workplace Diversity, Federal Women's Program and Employee Disability Advisory Council); as well as collateral duty EEO counselors to assist with complaint processing.
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			Yes. We have a Reasonable Accommodation Coordinator within Human Resources that oversees the Reasonable Accommodation process.
	B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	X			Yes. We have proper staffing that oversees the timely and complete compliance with EEOC orders.
	B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	X			

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B.4.a.3. to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR §§ 1614.102(c)(5); 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]

X

Yes, the EEO Specialist specializes in complaint processing and together we ensure timely, thorough and fair processing of EEO complaints, including overseeing EEO counseling, investigations and legal sufficiency reviews. The Bureau of Law completes all Final Agency Decisions but we ensure timeliness.

B.4.a.4. to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.

X

Yes. We accomplish all the training through the annual New Supervisor's Training sessions and/or through the RRB University training portal. OEO created a PowerPoint presentation on the No FEAR Act that is downloaded to RRB University. It is then assigned to all employees and tracked for completion.

B.4.a.5. to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]

X

There are no components of the RRB. We are one agency with offices in the field but these offices fall under the same EEO programs.

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<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>Yes, we have 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>Yes, we used an Excel spreadsheet to track all complaint data and 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>
<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>Yes. We sponsored most Special Emphasis programs during fiscal year 2020 prior to the office closure due to 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>Yes. We have transferred all anti-harassment complaints to the Office of Administration to create 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>Yes.</p>



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<p>B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), &amp; 6(III)]</p>	<p>X</p>		<p>Yes. We thoroughly explain our roles as EEO officials as it is defined in the MD-110. Our role is also mentioned in our EEO Complaints booklet as well.</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>Yes, the Director of Equal Opportunity ensures all training is completed by requiring a copy 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>Yes, The Director of Equal Opportunity ensures that all annual refresher training is completed by requiring 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
		Yes	No	N/A	
 Measures	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills				
B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:					
B.5.a.1. EEO complaint process? [see MD-715(II)(B)]		X			Yes. 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			Yes. Reasonable Accommodation procedure is included in the new supervisor training.
B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]		X			Anti-harassment policy was revised in FY2020. We created a mandatory power-point training for all employees.
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.

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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			Yes, we offer ADR to all complainants except sexual harassment complaints. We also created an ADR video if they want to see how ADR works.
 <b>Compliance Indicator</b>	B.6. The agency involves managers in the implementation of its EEO program.	<b>Measure Has Been Met</b>			<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		Yes	No	N/A	
B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]		X			Yes, the senior managers approve the time for their employees to view on-line presentations of the various programs.
B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]		X			Senior management must participate in the barrier analysis process to get their buy-in. However, we have not had a barrier analysis because no trigger has been spotted.
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			No barriers have been identified. But if and when they are, senior managers will be included.
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			Somehow, EEO language was removed from the agency strategic plan. I brought this to the senior executive manager's attention and he assured me when the strategic plan is revised (2022), the EEO language would be in there.

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Essential Element: C Management and Program Accountability

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.1. The agency conducts regular internal audits of its component and field offices.			N/A	
	C.1.a. Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.			X	We do not have components of the RRB.
	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	No components of the RRB.
	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	No components of the RRB.

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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			Yes. The anti-harassment policy was revised during FY2020 to comply with EEOC's enforcement guidance. It was sent to EEOC and approved in FY2020.
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			Yes it does.
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			Yes. This was the reason for the revision to our anti-harassment policy in FY2020.
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			Yes. The anti-harassment policy requires that an employee's conduct be immediately addressed and/or corrected whereas the EEO complaint process is designed to make individuals whole for discrimination that already occurred through damage awards and equitable relief to prevent the recurrence of the unlawful discriminatory conduct.

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<p>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.]</p>	<p>X</p>		<p>Yes. The anti-harassment complaints moved to the Office of Administration and the EEO office informs the anti-harassment coordinator if an EEO complaint alleges discrimination due to harassment or if the complainant wants to file a separate complaint so that action may be taken immediately.</p>
<p>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.</p>	<p>X</p>		<p>Yes, whenever an employees alleges harassment (whether through the anti-harassment program or through a complaint of discrimination), questions are asked to determine if immediate action is needed. The revised policy includes language that the inquiry begins within 10 days. We did not have any harassment complaints in FY20.</p>
<p>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)]</p>	<p>X</p>		<p>The agency provides No FEAR Act training every other year which provides examples of harassment based on a disability.</p>
<p>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)]</p>	<p>X</p>		<p>Yes the agency's reasonable accommodation procedures comply with EEOC regulations and guidance</p>

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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>Yes, the RRB has a Reasonable Accommodation Coordinator in Human Resources to assist with processing requests throughout the agency and keep information as to what accommodation was approved or denied. The Office of the Inspector General processes their reasonable accommodation requests and has their own 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>Yes, the Reasonable Accommodation Manager is in the Bureau of Human Resources and/or 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>Yes. 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>
<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>Yes. Our policy provides for 15 work days unless there are extenuating circumstances.</p>

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<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>Yes, we process all accommodations requests within the time frame set forth in our reasonable accommodation procedure.</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>Yes, we have established procedures for processing requests for personal assistance services that comply with EEOC’s regulations, etc. in the Reasonable Accommodation Policy.</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>Yes, it is included in the Reasonable Accommodation Policy which is posted on rrb.gov. To date, we have had no requests.</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			Yes, the senior executives (SES) has language in their performance appraisal and an EEO sub-element was sent to all Directors in September 2020 to be include on all managers performance appraisal beginning October 2020.
	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			Yes, under the new sub-element, managers will be appraised on this beginning in FY2021.
	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			Yes, under the new sub-element, all manages will be appraised on this beginning in FY2021.
	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			Yes, under the new sub-element, managers will be appraised on this beginning in FY2021.
	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			Yes, under the new sub-element, all managers will be appraised on this beginning in FY2021.
	C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	X			Yes, under the new sub-element, managers will be appraised on this beginning in FY2021.

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C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [ see 29 CFR §1614.102(a)(8)]	X		Yes, under the new sub-element, managers will be appraised on this beginning in FY2021.
C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]	X		Yes, under the new sub-element, managers will be appraised on this beginning in FY2021.
C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]	X		Yes, under the new sub-element, managers will be appraised on this beginning in FY2021.
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		yes, under the new sub-element, managers will be appraised on this beginning in FY2021.
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		Yes, the EEO Director can always recommend.
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 We did not recommend any remedial or disciplinary actions during FY20.

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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			We meet to assess all personnel programs, policies and procedures to ensure conformity with EEOC laws, instructions and Management Directives.
	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		We do not have established timetables/schedules to review those programs.
	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			Yes, we receive monthly and annual spreadsheets of workforce demographics. OEO downloads applicant data annually from Applicant Flow Data provided by OPM and OEO is provided information on training programs annually.
	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			Yes, HR no longer does exit interviews. Climate assessment survey information is shared with OEO. Grievance data is not normally shared because we have not asked for it.
	C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:				

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C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	X			Yes, 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			
C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X			
C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	X			
C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]	X			Yes, HR supplied the Status and Dynamics files for the MD-715.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.				
	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			Yes, a guide to disciplinary actions for discriminatory conduct was included in the RRB Table of Penalty's included in the Employee Handbook. HR decided to remove the table of penalties covering discriminatory conduct during FY2020.
	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			Yes, we have not had a finding of discrimination but if we do, the agency supports discipline or sanction for managers and employees for discriminatory conduct.
	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			Yes, the RMO is advised if their actions were inappropriate,

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Agency Self-Assessment Checklist



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.6. The EEO office advises managers/supervisors on EEO matters.				
	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			Yes, the Office of Equal Opportunity provides a monthly report outlining the number of complaints and special emphasis program updates. This report can be seen by all Senior management.
	C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	X			Yes, we have trained and experienced EEO officials that are readily available to address EEO concerns from managers and supervisors.

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Agency Self-Assessment Checklist



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			Yes, we review all RMO's named in complaints as well as the basis(es) for a trend. We also review all races, disability status and ages of those promoted and hired every month.
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			Yes, we use workforce data, complaint data and special emphasis programs.
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		HR used to conduct exit interviews but removed this process due to low staff.

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Agency Self-Assessment Checklist



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)				
	D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	X			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 which did not impact a certain group of employees.
	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, exit survey, program evaluations and special emphasis programs for barriers.



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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.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 FY2020.
	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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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.				
	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.	X			Yes, <a href="https://www.rrb.gov/Resources/OfficeOfEqualOpportunity/EEOPolicies">https://www.rrb.gov/Resources/OfficeOfEqualOpportunity/EEOPolicies</a> .
	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			Yes, we provide a Rights and Responsibilities Booklet to everyone who contacts us and is interested in filing a complaint of discrimination.
E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?		X			Yes, we issue acknowledgement letters within 5 work days.
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, we issue acceptance letters/dismissal decisions within 15 business days after the filing date of a formal complaint. The Counselor's report is sent to the Complainant if they file a formal complaint with the acceptance letter but prior to any dismissal decision.
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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Agency Self-Assessment Checklist

<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. We advise them on the onset that their fee may be reduced for a late or poor work product.</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 we provide 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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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.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			yes, the OGC handles the defensive function and there is a clear separation between OEO and OGC. OGC is not involved in the process until the Complainant requests a hearing or Final Agency Decision. 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.
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 or a Final Agency Decision is required. If Complainant request a final agency decision, OGC writes the decision.
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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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.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 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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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.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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Agency Self-Assessment Checklist

E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]	X		Yes, OEO created the Reasonable Accommodation policy but the Reasonable Accommodation Coordinator (RAC) is in Human Resources. RAC provides an annual report of approved, denied, changed reasonable accommodations and the cost to the agency.
E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	X		Yes. This Office of Administration processes complaints of harassments 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.
E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	X		Yes, we use the Federal Employee Viewpoint Survey.

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Agency Self-Assessment Checklist



 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
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			Yes, we constantly review the EEO program to determine whether the agency is meeting its obligations.
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, I am a member of the small agency council and we regularly share best practices.
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.

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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			Yes, OEO ensures agency timely complies with any and all EEOC orders/directives and final agency actions.
	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			Yes, both management and the complainant are advised to contact OEO if an agreement is not followed.
	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			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.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			Yes.
	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			Yes.
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	X			Yes.
 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	F.3. The agency reports to EEOC its program efforts and accomplishments.	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 the quarter

Essential Element: O Other

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Plan to Attain Essential Elements

PART H.1

Brief Description of Program Deficiency: A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If "yes", provide one or two examples in the comments section. .

Does the agency provide recognition to employees, supervisors, managers and units who demonstrate superior accomplishment in equal opportunity.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2020	12/15/2022			To recognize employee, supervisors, managers and units that demonstrate superior accomplishments in equal employment opportunity by including an EEO element in their performance appraisal.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of Equal Opportunity	Pamela Tate	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
10/01/2020	The sub-element was added to all managers performance appraisals beginning 10.1.2020.	Yes		09/30/2020

Accomplishments

Fiscal Year	Accomplishment
2021	The sub-element was added to all managers performance appraisals for FY21.

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Plan to Attain Essential Elements

PART H.2

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		05/01/2020	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	Pamela Tate	Yes
Director of Equal Opportuniry	Pamela Tate	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 with the Senior Executive Member and be briefed on all Executive Committee discussions concerning personnel, budget, technology and other workforce issues.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2020	The EEO Director met with the Executive Committee (EC) during FY2019 and expressed the need for her to be included on policies effecting personnel, budget, technology and other workforce issues. The EEO Director was not trying to be apart of the EC meetings but wanted the opportunity to review and provide input prior to policy changes, revisions, and/or implementations. The EC agreed and said that they would contact the EEO Director in the near future.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/28/2020	01/31/2021			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	Pamela M. Tate	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
2020	The 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 EEO Director was sent policies to review prior to implementation.

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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]
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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 b all EEO groups?

Responsible Officials

Title	Name	Standards Address the Plan?
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Planned Activities

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

Fiscal Year	Accomplishment
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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	10/01/0022			Meet with the Director of HR about re-establishing exit surveys

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, 2019 to September 30, 2020

Plan to Eliminate Identified Barriers

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

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

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

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

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

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

During FY2020, the Workforce Table, B4P, shows we have a total of total of 819 permanent employees of which 128 (16%) were employees with a disability. There are 275 permanent employees in grades GS-1 through 10 positions. Of the 275 employees 54 (20%) stated they have a disability. Of the 544 permanent employees in grades GS-11 through SES, a total of 74 (14%) indicated they have 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 | No |
| b.Cluster GS-11 to SES (PWTD)  | Answer | No |

During FY2020, the Workforce Table, B4P shows we have a total of 819 permanent employees of which 128 (16%) listed a disability. A total of 21 (3%) listed a targeted disability. Of the 21, a total of 13 employees with a targeted disability worked in GS-1 through GS10 positions and a total of 8 employees with a targeted disability worked in GS-11 through SES positions.

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

The agency communicated the numerical goals to the 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.

**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

Human Resources has designated a HR Specialist to assist in improving the staffing of people with disabilities by contacting different organizations assisting people with disabilities to re-enter the workforce. We send all vacancy announcements to these organizations. We also have the Employees with Disabilities Advisory Council who assists in finding organizations that assist people with disabilities.

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

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTB	0	0	0	N/A
Architectural Barriers Act Compliance	0	0	1	Scott Rush Supvy Facility Operations Specialist scott.rush@rrb.gov
Answering questions from the public about hiring authorities that take disability into account	0	0	1	Melissa T Welch Lead HR Specialist/Selective Placement Coordinator melissa.welch@rrb.gov
Special Emphasis Program for PWD and PWTB	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

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

All managers and supervisors, and HR personnel, completed "A Roadmap to Success: Hiring, Retaining, and Including People with Disabilities" course in RRB University in March of FY2020.

## 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

We have a Selective Placement Coordinator in Human Resources who ensures we have a contact person at various disability organizations so we can advise them of all vacancy announcements being posted to usajobs.gov. This will ensure that people with disabilities are advised of our job openings.

## 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 PWTB

### 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.

We do not identify job applicants with disabilities. All positions are filled based on the applicants knowledge, skills and abilities and not on their disability.

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 PWTB 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

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.

## 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.

During FY2020, OEO worked with HR to establish and maintain contacts with eleven 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, the Department of Human Services, Independent Living and Transition Advocate Progress Center, and Southwest American Job Center. We secured a contact person at each organization with their email address and telephone number. We send our vacancy notices to them and in turn they disburse the information to clients being serviced by their organization.

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

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

- |   |        |    |
|---|--------|----|
| a. New Hires for Permanent Workforce (PWD)  | Answer | No |
| b. New Hires for Permanent Workforce (PWTD) | Answer | No |

The RRB hired a total of 60 new employees during FY2020. A total of six (6) new employees (10%) listed a disability and 15 or (25%) did not want to identify their disability. I believe these individuals have a disability and they should be included. So together, that accounts for twenty-one (21) employees or 35% of our new hires. Of the 60 new employees, two (2) or 3% identified their disability as a targeted disability.

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

- |                             |        |    |
|-----------------------------|--------|----|
| a. New Hires for MCO (PWD)  | Answer | No |
| b. New Hires for MCO (PWTD) | Answer | No |

The RRB has two mission critical occupations (MCO): 2210 and 0993. Only two (2) individuals were hired in the 2210 MCO. We only know this from our accession report. We believe they are not shown on the AFD Table A7/B7 because they omitted their demographics and did not provide their race, sex nor disability status on usajobs.gov. A total of eighteen (18) individuals were hired in the 0993 MCO. One (1) new employee (5%) said their disability was not listed (code 06) however, four (4) new employees (22%) did not want to disclose their disability (01). Together, that represents 27%. Since code 01 and code 06 does not tell us the nature of the disability, we can not make a well informed decision as to whether any new hire had a targeted disability.

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

- a. Qualified Applicants for MCO (PWD) Answer No
- b. Qualified Applicants for MCO (PWTD) Answer No

A total of only twenty-six (26) internal applicants applied for promotion in the MCO 0993. A total of two (2) or 8% of the employees identified a disability and two (2) or 8% identified a targeted disability. A total of seven (7) or 27% applicants did not identify a disability and seventeen (17) or 65% stated they did not have a disability. There were eight (8) or 13% applicants selected and one applicant did not identify their disability, code (01). This may or may not be a trigger, but will continue to monitor the statistics. There were no internal applicants for MCO 2210.

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

- a. Promotions for MCO (PWD) Answer No
- b. Promotions for MCO (PWTD) Answer No

For MCO 0993, nineteen (19) employees were promoted into 0993 positions. Of the nineteen (19) two (2) employees or 11% of the employees listed a disability and they were both targeted disabilities. There were seven (7) employees selected for promotion and they all cited having no disability. This may or may not trigger a barrier analysis because the selection is so small. We will continue to monitor the statistics. We also want to state that one of the employees with a disability withdrew her application. There were no promotions for MCO 2210.

#### **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 employees have advancement opportunities based on their knowledge, skills and abilities. Reasonable accommodations are provided to those in need but advancement is based on the individuals skills and abilities and not because they have a disability.

##### **B. CAREER DEVELOPMENT OPPORTUNITES**

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

All employees can complete an Individual Development Plan (IDP) to assist them in moving ahead in the agency. They share their plan with their supervisor and they set short term and long term goals as to what they would like to achieve at the RRB. We have online courses that they can take to help them with their goals. By writing it down and sharing it with supervisor, they are reminded of their goals and their supervisors are tasks with encouraging and assisting them reach their goals and/or positions they aspire to.

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 (#)
Fellowship Programs	0	0	0	0	0	0
Other Career Development Programs	0	0	0	0	0	0
Training Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Coaching Programs	0	0	0	0	0	0
Internship Programs	0	0	0	0	0	0
Detail Programs	0	0	0	0	0	0

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

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

The RRB did not offer any other career development programs other than the IDP in 2020. As stated above, all employees are encouraged to participate in the IDP. There were 60 employees who participated in the IDP and eight (8) or 13% reported having a disability. There were no employees who identified themselves as having a targeted disability. Out of the sixty (60) participants in the program seven (7) or 12% did not identify a disability, (code 01). And as always, all managers and supervisors took required supervisory/management training.

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

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

The RRB did not offer career development programs in FY2020.

### C. AWARDS

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

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

During FY2020 the RRB issued fifty-seven (57) time-off awards and one hundred and thirty-eight (138) non performance based awards (includes suggestion awards, group awards, cash award not based on performance) totaling 196 awards. A total of twenty-six (26) employees (13%) listed a disability and three (3) or 2% listed a targeted disability. Again, I believe we should include the employees who did not identify their disability. A total of eleven (11) employees or 6% did not identify their disability. Added with the 26 who listed their disability, we total 19%.

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

- a. Pay Increases (PWD) Answer No
- b. Pay Increases (PWTD) Answer No

During FY2020, a total of one hundred and forty-eight (148) employees received a quality step increase and five hundred and fourteen (514) employees received a performance based incentive award for a total of six hundred and sixty-two (662) employees. A total of ninety-five (95) or 14% of these employees listed a disability. Of the 662 employees, seven-teen (17) or 3% listed a targeted disability.

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

- a. Other Types of Recognition (PWD) Answer N/A
- b. Other Types of Recognition (PWTD) Answer N/A

The RRB does not have any additional recognition programs other than those listed above.

**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 No
  - ii. Internal Selections (PWD) Answer No
- c. Grade GS-14
  - i. Qualified Internal Applicants (PWD) Answer No
  - ii. Internal Selections (PWD) Answer No
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWD) Answer No
  - ii. Internal Selections (PWD) Answer No

During FY2020, no employee was promoted into a SES position. A total of two (2) employees applied and qualified for a GS-15 position. Both reported no disability. There were twenty-nine (29) employees who applied for a GS-14 position and ten (10) were qualified. Of those who qualified, four (4) applicants reported no disability; and six (6) employees (24%) did not identify their disability (code 06). There were four (4) applicants who applied for the GS-13 positions, and all four reported having no disability. All four applicants qualified and one was selected.

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

During FY2020 there was one internal applicant who applied for a GS-14 position who reported having a targeted disability (code 40). No other applicants reported a targeted disability. Many applicants did not want to identify their disability so we do not know if they had a targeted disability or not. The data does not trigger a barrier analysis.

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 No

c. New Hires to GS-14 (PWD) Answer No

d. New Hires to GS-13 (PWD) Answer No

During FY2020, the RRB did not hire any new employees into a SES position. The RRB hired two (2) individuals for a GS-15 position (external posting). Neither one stated a disability. The RRB hired one (1) individuals for a GS-14 position (external posting). The selectee reported no disability. The RRB hired one (1) individual for a GS-13 position (external posting). The selectee did not want to identify his disability. We do not believe the data is large enough to trigger a barrier analysis.

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 No

c. New Hires to GS-14 (PWTD) Answer No

d. New Hires to GS-13 (PWTD) Answer No

During FY2020, the RRB did not hire any new employees into an SES position. The RRB hired two (2) individuals for a GS-15 position. Neither stated a disability. Therefore, there were no targeted disabilities. The RRB hired one (1) individuals for a GS-14 position. The applicant flow data did not show any GS-14 data on new hires. The only data we had was the RRB accessions report where one new employee was hired. The selectee reported no disability. Therefore, there no targeted disabilities. And, the RRB hired one (1) individual for a GS-13 position. The selectee did not want to identify his disability. So we do not know if he had a targeted disability. Since the RRB does not have hiring authority under Schedule A and the new hires are small in number, we do not see a trigger to support a barrier analysis.

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 No

ii. Internal Selections (PWD) Answer No

c. Supervisors

i. Qualified Internal Applicants (PWD) Answer No



ii. Internal Selections (PWD)

Answer No

During FY2020, no employee applied or was selected for a SES or Executive position. A total of thirty-seven (37) applied and twenty (20) qualified for a supervisory/management position at the GS-13 through GS-15 level. A total of three (3) applicants had a disability but only 1 applicant with a disability was qualified for the position. That disability was not listed (code 06). The Applicant Flow Data program could not separate the supervisors from the managers, therefore all management positions were included together under supervisors on the relevant A19 and B19 tables.

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

Answer No

ii. Internal Selections (PWTB)

Answer No

b. Managers

i. Qualified Internal Applicants (PWTB)

Answer No

ii. Internal Selections (PWTB)

Answer No

c. Supervisors

i. Qualified Internal Applicants (PWTB)

Answer No

ii. Internal Selections (PWTB)

Answer No

During FY2020, no employee applied or was selected for an SES or Executive position. A total of thirty-seven (37) applied and twenty (20) qualified for a supervisory/management position at the GS-13 through GS-15 level. A total of three (3) applicants had a disability and two had a targeted disability. Both applicants with a targeted disability were rated not qualified. Therefore, no applicant with a targeted disability could be selected. Please note that the Applicant Flow Data system could not separate the supervisors from the managers, therefore all management positions were included together under supervisors.

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 No

b. New Hires for Managers (PWD)

Answer No

c. New Hires for Supervisors (PWD)

Answer No

During FY2020, one (1) external applicant was hired to fill a supervisory position. This applicant stated no disability. Most applicants either reported having no disability or did not identify the disability. These new hires are so small in number that we do not see this as a trigger.

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTB 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 (PWTB)

Answer No

b. New Hires for Managers (PWTB)

Answer No

c. New Hires for Supervisors (PWTB)

Answer No

Of all the applicants who applied for the supervisory position, no one listed a targeted disability. Since the RRB cannot use Schedule A and our new hire numbers are so small, we do not see this as a trigger.

**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 No

b. Involuntary Separations (PWD)

Answer No

During F2020, a total of eighty-nine (89) employees separated from the RRB. Two employees (2) were involuntary separated from the RRB. One employee (1) had no disability (code 05) and the other employee did not wish to identify their disability (code 01). No trigger with only 2 employees to analyze whether trigger exists. A total of eighty-seven (87) employees voluntarily separated from the RRB. Sixty-four employees (64) stated they had no disability. Three (3) employees did not wish to identify their disability (code 01), three employees (3) stated that their disability was not listed on the form and seventeen employees (17) or 20% stated they had a disability.

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

a. Voluntary Separations (PWTD)

Answer No

b. Involuntary Separations (PWTD)

Answer No

During FY2020, a total of eighty-nine employees separated from the RRB. Two employees (2) were involuntary separated from the RRB. One employee (1) had no disability (code 05) and the other employee did not wish to identify their disability (code 01). No trigger with only 2 employees to analyze whether trigger exists. Although one listed a disability but they did not want to say what it was, the sample is too small. A total of eighty-seven (87) employees voluntarily separated from the RRB. Sixty-four employees (64) stated they had no disability. Three (3) employees did not wish to identify their disability (code 01), three employees (3) stated that their disability was not listed on the form and seventeen employees (17) stated they had a disability. Of the seventeen, a total of four (4) stated a targeted disability (5%).

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.

No trigger existed.

## B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

<https://www.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.

<https://www.rrb.gov/Policy#aba>

3. Describe any programs, policies, or practices that the agency has undertaken, or plans on undertaking over the next fiscal year, designed to improve accessibility of agency facilities and/or technology.

The IT department is still in the process of revising/changing some of the RRB systems so that they are compatible with each other and pull data from each other so claims are paid quicker and more efficiently. These program updates will take a couple of years to complete.

### C. REASONABLE ACCOMMODATION PROGRAM

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

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

The average time frame for processing initial requests was 23.5 work days. The lowest time was 8 workdays for an ergonomic desk and the longest time as 67 workdays for a sit/stand workdesk. All others were 30 work days or less.

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.

The reasonable accommodation policy and procedure is very effective. Employees are able to come to the Office of Equal Opportunity (OEO) if they are not satisfied with their accommodation or they are denied an accommodation and wish to file a complaint or just talk about it. This policy is on OEO and HR internal website for all employees to read. OEO provides an annual new supervisors training. When revisions are made to the policy, a training PowerPoint is downloaded to our training module (RRB University) and we ensure all employees complete it by tracking their progress. The RRB had eleven (11) requests for a reasonable accommodations and four of the requests involved a sit/stand desk.

### 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.

We included the PAS procedure in the Reasonable Accommodation Policy. During FY2020, no one requested PAS so no data is available on this.

## 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 FY2020.

### 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 FY2020.

### 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.

N/A

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

N/A

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