

## **Affirmative Action Plan for the Recruitment, Hiring, Advancement, and Retention of Persons with Disabilities**

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## Affirmative Action 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 C.F.R. § 1614.203(d)(7)) require agencies to establish specific numerical goals for increasing the participation of persons with reportable and targeted disabilities in the federal government.

1. Using the goal of 12% as the benchmark, does your agency have a trigger involving PWD by grade level cluster in the permanent workforce? If "yes", describe the trigger(s) in the text box.
  - a. Cluster GS-1 to GS-10 (PWD) Answer: No
  - b. Cluster GS-11 to SES (PWD) Answer: Yes

Using the grade level clusters (see 29 C.F.R. § 1614.203(d)(7)(i)(A)-(D)), there's a trigger for PWD at the CN-51 (GS-11) level and above. 9.55% of employees at the CN-51 grade level and above are PWD.

Using the salary clusters (see 29 C.F.R. § 1614.203(d)(7)(i)(A)-(D)) and considering only data from completed Forms SF-256 (self-identification of disability), there's a trigger for PWD at the \$66,510 level and above. 9.45% of employees earning \$66,510\* and above are PWD.

Using the salary clusters and including data from completed Forms SF-256, data on 30% or more disabled veterans, and data on Schedule A(u) appointments which are allowable under the Section 501 regulations, there's a trigger for PWD at the \$66,510\* level and above. 11.74% of employees earning \$66,510 and above are PWD.

\* Salary threshold of \$66,510 represents salary for an employee paid at the GS-11 Step 1 level in the Washington-Baltimore-Arlington, DC-MD-VA-WV-PA ("Washington DC") locality area as of September 30, 2017. See <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/17Tables/html/DCB.aspx>.

\* 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

N/A

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

The Office of Civil Rights (OCR) led a stakeholder briefing on the EEOC Rehabilitation Act Section 501 Affirmative Action regulations on February 7, 2017. Multiple follow-up briefings were held throughout the fiscal year to educate and inform various stakeholders across the Bureau including OMWI, the Office of Human Capital (OHC) Talent Acquisition team (which conducts outreach and recruitment), and the Legal Division.

As part of Divisional-level strategic planning meetings, OCR and OMWI presented demographic information with the assistance of an OHC data analyst. At that time, the goals for PWD/PWTD were shared.

CFPB’s former Director also communicated the numerical goals to the entire Bureau via email in the Director’s Weekly Message on October 30, 2017.

## 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 DISABILITY PROGRAM

- 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

In FY 2017, OCR requested and secured authorization to hire a Disability Program Manager (DPM) for the Bureau (to be housed in a non-OCR office within the Bureau’s Office of Equal Opportunity and Fairness (OEOF) to avoid conflicts of interests related to administration of the reasonable accommodation program). In early FY 2018 – before the Bureau could fill this position – new CFPB leadership imposed a Bureau-wide hiring freeze as part of its strategic assessment and transition planning process. OEOF is pursuing all options to procure qualified staff to fill this vacancy within the parameters of the hiring freeze. Failing to hire a DPM hinders the Bureau’s ability to comply comprehensively with the EEOC’s new Section 501 affirmative action regulations and to enhance overall Bureau efforts related to disability law compliance and implementing best practices.

- 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	

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTD	0	3	0	Department of Treasury's Bureau of the Fiscal Service (BFS), CFPB's third party service provider, CFPBINQUIRIES@BPD.TREAS.GOV
Answering questions from the public about hiring authorities that take disability into account	0	3	0	Department of Treasury's Bureau of the Fiscal Service (BFS), CFPB's third party service provider, CFPBINQUIRIES@BPD.TREAS.GOV
Processing reasonable accommodation requests from applicants and employees	1	1	0	CFPB_REASONABLEACCOMMODATIONS@cfpb.gov
Section 508 Compliance	1	0	0	CFPB_ACCESSIBILITY@cfpb.gov
Architectural Barriers Act Compliance	0	0	1	CFPBFacilities@cfpb.gov
Special Emphasis Program for PWD and PWTD	0	0	1	Office of Human Capital, CFPN_HR@cfpb.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(s) that disability program staff have received. If “no”, describe the training(s) planned for the upcoming year.

Answer: Yes

CFPB provides a wide range of information and resources through both training and communications to managers and employees about disability-related employment topics, including providing reasonable accommodations and about the Bureau’s Reasonable Accommodation policy and SOPs, specifically. From the first day employees begin working at the Bureau, they are informed about their rights and obligations with respect to disability-related reasonable accommodations. As part of CFPB’s New Employee Orientation (NEO) and onboarding sessions, OCR provides a briefing to all newly onboarded employees about EEO at the Bureau. At these sessions, employees are specifically told about their right to disability-related reasonable accommodations and PAS, and about the Bureau’s policy and SOPs on reasonable accommodations. OCR staff gives employees the name and contact information for the Reasonable Accommodation Coordinator. Employees also receive a binder of EEO materials (the Guide to the Office of Civil Rights) that describes the reasonable accommodation process. New employees also are told that all of this information is readily available on the Bureau’s intranet.

All CFPB managers and supervisors are also required to attend the various training sessions, which provide information about the reasonable accommodation process and legal obligations. This mandatory training includes a 2-day EEO training led by the EEOC Training Institute. Relatedly, OCR’s intranet page has detailed information,

including plain-language FAQs, about disability-related reasonable accommodations. OCR also provides supervisors and managers with an EEO Resource Manual containing information about compliance obligations, including information about complying with disability-related requirements, and a copy of the Bureau's reasonable accommodation policy and SOPs. Further, OHC's Reasonable Accommodation program personnel attend "All Hands" meetings held in the Bureau's regions and hold "office hours" enabling interested employees or supervisors to raise questions or learn about the program.

In FY 2018, as part of ongoing efforts to implement the EEOC's new Section 501 affirmative action obligations, OHC will identify opportunities for Reasonable Accommodations program staff to present information on the Reasonable Accommodation program directly to employees and supervisors.

Reasonable Accommodations program staff has also received targeted training:

- The EEOC provided onsite training on Reasonable Accommodations and Processes (April 19, 2017 for 8 hours).
- Select staff attended the Office of Disability Employment Policy and Employer Assistance and Resource Network on Disability Inclusion (EARN) session on the Workforce Recruitment Program (WRP) (May 2017).
- Select staff attended Federal Dispute Resolution (FDR) training in San Francisco, CA, which included various sessions on reasonable accommodation-related issues and case law updates along with panel discussions (August 7-10, 2017 for 27 hours).
- Select staff attended ergonomics training in Lanham, Maryland (September 12-13, 2017 for 16 hours).

Other training and events staff attended included: EEOC/FEED training, MD-715 instructions webinar, Small Agency 501 Affirmative Action Regulation Working Group, DVAAP Forum and Overview, and the Schedule A Process Training Overview with BFS. There were also internal briefings that occurred hosted by OCR or OHC related to the disability affirmative action plan and the Section 501 regulations.

## **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

In FY 2017 (as in previous years), OCR had a standalone budget, separate from the budgets of OMWI and other Bureau Offices. In FY 2017, the Bureau granted approval to hire a Disability Program Manager (DPM). In early FY 2018, before this position could be filled, new Bureau leadership imposed a hiring freeze as part of its strategic assessment and transition planning process. As a direct result of the sustained and strategic focus of OCR, OHC, OMWI, and many other Bureau stakeholders, the Bureau has focused other limited resources in efforts to employ individuals with disabilities, with some positive results. CFPB expects to hire a DPM in FY 2018.

## **Section III: Program Deficiencies in the Disability Program**

The agency has not reported any program deficiencies involving the disability program.

## Section IV: Plan to Recruit and Hire Individuals with Disabilities

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

### A. PLAN TO IDENTIFY JOB APPLICANTS WITH DISABILITIES

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

In a Technical Assistance letter to CFPB dated June 24, 2016, the EEOC stated: "We are pleased to note that in FY 2015, the CFPB implemented recruitment and outreach plan for individuals with targeted disability and it has established a goal of 2% to hire and retain individuals with targeted disability." The Bureau continues to establish and maintain relationships with, and outreach to, professional organizations that represent individuals with disabilities. Through attending various career fairs and community outreach efforts, the Bureau encourages individuals with disabilities to apply under the Schedule A(u) Hiring Authority to open positions at the CFPB. Employees in the Bureau's OHC Talent Acquisition team attended two events hosted by Equal Opportunity Publications in Washington, D.C., and the Gallaudet Fall Career Fair for student-based recruitment to share opportunities available at the CFPB.

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

In FY 2017, CFPB finalized a new Schedule A(u) directive to provide enhanced guidance to CFPB hiring managers on the use of this non-competitive hiring authority. The Bureau encourages individuals with disabilities (e.g., Schedule A(u), 30% or more disabled veterans, etc.) to apply for positions that are posted via vacancy announcement. Individuals with disabilities who meet minimum qualifications and provide the appropriate documentation are referred to the hiring manager for consideration. This determination is made by our third-party service provider, Department of Treasury's Bureau of the Fiscal Service (BFS). Along with the continued use of the Schedule A(u) hiring authority, the CFPB continues to explore how to best leverage the Workplace Recruitment Program (WRP) through the Department of Labor and existing registries housed on [www.max.gov](http://www.max.gov).

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

The Bureau encourages individuals with disabilities (e.g., Schedule A(u), 30% or more disabled veterans, etc.) to apply for positions that are posted via vacancy announcement. Individuals with disabilities who meet minimum qualifications and provide the appropriate documentation are referred to the hiring manager for consideration. This determination is made by our third-party service provider, Department of Treasury's Bureau of the Fiscal Service (BFS).

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: Yes

Yes. The OHC Talent Management team delivers Supervisory Development Seminars (SDS) – a one-time training CFPB requires all supervisors/managers (at all levels) to take within their first year of supervising at the CFPB. This training includes a section on hiring authorities such as Schedule A(u). OCR also circulates information to managers about this hiring flexibility through the digital (email) bi-weekly Manager Minute publication, as well as on OCR’s intranet site. Written materials (such as the EEOC brochures on using Schedule A) are also made readily available on display stands placed through CFPB facilities.

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

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

In FY 2017, the Bureau enlisted Senior Leadership and Bureau champions to promote the Bureau’s employer identity at outreach events to attract candidates to the CFPB as a best place to serve. CFPB also provided hiring managers with the tools and training needed (such as an OHC-prepared “Outreach Toolkit for Hiring Managers,” Schedule A(u) resources, etc.) to conduct effective recruitment, and enhanced a Bureau program that engages existing CFPB employees as ambassadors and provides them with the tools, messages, and resources to reach out to their own professional networks. OHC, OMWI, and OCR consult at least annually on outreach and recruitment strategies and priorities. Along with the continued use of the Schedule A(u) hiring authority, the CFPB continues to explore how to best leverage the Workplace Recruitment Program (WRP) through the Department of Labor and existing registries housed on [www.max.gov](http://www.max.gov).

## **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: Yes
  - b. New Hires for Permanent Workforce (PWTD)      Answer: No

The percentage of PWD among the new hires in the permanent workforce equals 11.94%.

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

The Bureau has four MCOs: 0110/Economists, 0301/Miscellaneous Administration & Program, 0570/Examiners, 0905/General Attorneys. There are triggers for PWD and PWTD for the permanent new hires when compared to the qualified applicant pool. There were zero selections of PWTD. There were only selections of PWD for the 0301 and 0570 series, but still a trigger between stages.

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

Very limited hiring occurred during FY 2017. For internal applicants, there is only data for the 0301 occupational series. While there is a trigger for PWD and PWTD for this series, there was a very small sample size with only 22 total applications received and 9 qualified applications. Zero applications (0%) received were from PWD or PWTD.

4. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTD among employees promoted to any of the mission-critical occupations (MCO)? If “yes”, please describe the triggers below.
  - a. Promotions for MCO (PWD)      Answer: No
  - b. Promotions for MCO (PWTD)      Answer: No

Very limited hiring occurred during FY 2017. For internal applicants, there is only data for the 0301 occupational series. Zero applicants were qualified (0%) and zero applicants were selected (0%) who were PWD or PWTD. Since there were no qualified internal applicants for PWD or PWTD, there couldn't be any selections.

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

Pursuant to 29 C.F.R §1614.203(d)(1)(iii), agencies are required to provide sufficient advancement opportunities for employees with disabilities. Such activities might include specialized training and mentoring programs, career development opportunities, awards



programs, promotions, and similar programs that address advancement. In this section, agencies should identify, and provide data on programs designed to ensure advancement opportunities for employees with disabilities.

## **A. ADVANCEMENT PROGRAM PLAN**

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

The Office of Human Capital does not have advancement programs specifically for, or targeted to PWD, including PWTD. Instead, the OHC Talent Management team offers and promotes development programs that support professional and career development /career advancement for all employees of CFPB, regardless of status, identity group, etc. Further, the Talent Management Team reinforces EEO, EEOC, CFPB, and OPM messaging on Merit Systems Principles, Prohibited Personnel Practices, and fairness and equity requirements, as part of CFPB Leadership and Management Development training programs for managers. This reinforces Manager guidance prohibiting discrimination, and promoting advancement opportunities for all CFPB Employees.

As part of the OMWI's responsibility for matters of the Bureau relating to diversity in management, employment and business activities, OMWI continues to offer training and programs designed to provide employees opportunities for advancement. Some of those trainings are focused on management. These include a two-day workshop entitled "Leading Diversity and Inclusion" which is aimed at giving management officials the tips and tools to effectively manage to enhance productivity while ensuring employees are able to contribute their talents and skills and ensure fair opportunities for all. OMWI has also developed a Mentoring Bank program that matches employees with leaders in the Bureau for targeted mentoring engagements for a certain number of hours over a three month period. The second iteration of the program (Mentoring Bank 2.0) is currently underway, as described below. OMWI also shares demographic statistics with Bureau leaders – including statistics of the number of employees with disabilities and targeted disabilities – during strategic planning to raise awareness of workforce demographics within the Bureau and its various occupations.

## **B. CAREER DEVELOPMENT OPPORTUNITIES**

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

The OHC Talent Management team provides training and program guidance to support the creation and use of Individual Development Plans (IDPs) for any and all CFPB employees who are interested in using them. The Talent Management team likewise has created a Career Planning Awareness Workshop to support all CFPB employees in their ongoing and Career Development. The Talent Management team does not have career development opportunities focused on PWD, or PWTD, but rather only those universally offered and open to all CFPB employees. The team-created and managed Training Opportunities and Career Development Opportunities are open to all CFPB employees with the exception of CFPB Management Training which is open to current managers only. The Bureau has no competitive selection for any Talent Management Bureau-wide training programs.

The OMWI office also developed a mentoring bank program and launched it in 2015. A Mentoring Bank 2.0 launched in early FY 2018. The mentoring bank program is open to all employees with one year of tenure and at pay band CN-53 and below. The mentoring bank matches employees and mentors to meet over a three month

time span for a total of 6 hours to discuss professional development and career interest topics.

2. 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 applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Applicants (PWD) Answer: No

b. Selections (PWD) Answer: No

N/A for FY 2017

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

a. Applicants (PWTD) Answer: No

b. Selections (PWTD) Answer: No

N/A for FY 2017

### C. AWARDS

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

a. Awards, Bonuses, & Incentives (PWD) Answer: Yes

b. Awards, Bonuses, & Incentives (PWTD) Answer: Yes

PWD Target (\$100-\$500): 33  
 PWD Benchmark: 151  
 PWOD Target (\$100-\$500): 365-33=332  
 PWOD Benchmark: 1557-151=1406  
 PWD IR 21.85% < PWOD 23.61%. This is a trigger.  
 For everything (except separations), when the inclusion rate (IR) percentage is lower than the PWOD, there's a trigger.

PWD Target (\$501+): 30  
 PWD Benchmark: 151  
 PWOD Target (\$501+): 322-30=292  
 PWOD Benchmark: 1557-151=1406  
 PWD IR 19.87% < PWOD 20.77%. This is a trigger.

PWTD Target (\$501+): 8  
 PWTD Benchmark: 45  
 PWOTD Target (\$501+): 322-8=314  
 PWOTD Benchmark: 1557-45=1512  
 PWTD IR 17.78% < PWOTD IR 20.77%. This is a trigger.  
 No PWD or PWTD recipients for either time off-award grouping (1-9 hours; 9+ hours).  
 There was a small overall recipient pool (19 total recipients).

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

N/A

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

#### D. PROMOTIONS

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

- a. SES
  - i. Qualified Internal Applicants (PWD) Answer: Yes
  - ii. Internal Selections (PWD) Answer: No
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWD) Answer: Yes
  - ii. Internal Selections (PWD) Answer: Yes
- c. Grade GS-14
  - i. Qualified Internal Applicants (PWD) Answer: Yes
  - ii. Internal Selections (PWD) Answer: No
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWD) Answer: Yes
  - ii. Internal Selections (PWD) Answer: No

SES/CN-81/82/90: No PWD was qualified or selected. Trigger for qualified internal applicants. The percentage was lower when compared with the benchmark. Since there were no qualified internal applicants for PWD, there couldn't be any selections.  
 GS-15/CN-71: Trigger for qualified internal applicants and selected for PWD. The

percentage was lower when compared with the benchmark.  
 GS-14/CN-60: Trigger for qualified internal applicants for PWD. The percentage was lower when compared with the benchmark.  
 GS-13/CN-53: No PWD was qualified or selected. Trigger for qualified internal applicants. Since there were no qualified internal applicants for PWD, there couldn't be any selections.

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

a. SES

- i. Qualified Internal Applicants (PWTD)                      Answer: Yes
- ii. Internal Selections (PWTD)                                      Answer: No

b. Grade GS-15

- i. Qualified Internal Applicants (PWTD)                      Answer: No
- ii. Internal Selections (PWTD)                                      Answer: Yes

c. Grade GS-14

- i. Qualified Internal Applicants (PWTD)                      Answer: Yes
- ii. Internal Selections (PWTD)                                      Answer: No

d. Grade GS-13

- i. Qualified Internal Applicants (PWTD)                      Answer: Yes
- ii. Internal Selections (PWTD)                                      Answer: No

SES/CN-81/82/90: No PWTD was qualified or selected. Trigger for qualified internal applicants. The percentage was lower when compared with the benchmark. Since there were no qualified internal applicants for PWTD, there couldn't be any selections.  
 GS-15/CN-71: Trigger for selections. The percentage was lower when compared with the benchmark.  
 GS-14/CN-60: Trigger for qualified internal applicants for PWTD. The percentage was lower when compared with the benchmark.  
 GS-13/CN-53: No PWTD was qualified or selected. Trigger for qualified internal applicants. The percentage was lower when compared with the benchmark. Since there were no qualified internal applicants for PWTD, there couldn't be any selections.

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

- |                             |            |
|-----------------------------|------------|
| a. New Hires to SES (PWD)   | Answer: No |
| 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 |

This data is not available or required for FY 2017 data tables. This data is part of the B7-1 new table required for FY 2018. We can see the percentage of new hires by pay band level, but do not have the benchmark for comparison purposes.

GS-13/CN-53: 2.59% of New Hires were PWD

GS-14/CN-60: 20.06% of New Hires were PWD

GS-15/CN-71: 25.29% of New Hires were PWD

SES/CN-81/82/90: 0.00% of New Hires were PWD

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

- |                              |            |
|------------------------------|------------|
| a. New Hires to SES (PWTD)   | Answer: No |
| 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 |

This data is not available or required for FY 2017 data tables. This data is part of the B7-1 new table required for FY 2018. We can see the percentage of new hires by pay band level, but do not have the benchmark for comparison purposes.

GS-13/CN-53: 2.59% of New Hires were PWTD

GS-14/CN-60: 6.47% of New Hires were PWTD

GS-15/CN-71: 0.00% of New Hires were PWTD

SES/CN-81/82/90: 0.00% of New Hires were PWTD

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

a. Executives

i. Qualified Internal Applicants (PWD) Answer: No

ii. Internal Selections (PWD) Answer: No

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

This data is not available or required for FY 2017 data tables. This data is part of the B8-1 new table required for FY 2018.

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

a. Executives

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

b. Managers

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

This data is not available or required for FY 2017 data tables. This data is part of the B8-1 new table required for FY 2018.

7. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the selectees for new hires to supervisory positions? If "yes", describe the trigger(s) in the text box.
- |                                    |            |
|------------------------------------|------------|
| a. New Hires for Executives (PWD)  | Answer: No |
| b. New Hires for Managers (PWD)    | Answer: No |
| c. New Hires for Supervisors (PWD) | Answer: No |

This data is not available or required for FY 2017 data tables. This data is part of the B8-2 new table required for FY 2018.

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the selectees for new hires to supervisory positions? If "yes", describe the trigger(s) in the text box.
- |                                     |            |
|-------------------------------------|------------|
| a. New Hires for Executives (PWTD)  | Answer: No |
| b. New Hires for Managers (PWTD)    | Answer: No |
| c. New Hires for Supervisors (PWTD) | Answer: No |

This data is not available or required for FY 2017 data tables. This data is part of the B8-2 new table required for FY 2018.

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

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

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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 C.F.R. § 213.3102(u)(6)(i))? If "no", please explain why the agency did not convert all eligible Schedule A employees.

Answer: No

There were two employees on Schedule A(u) appointments who were not converted after two years of satisfactory service because the Agency did not have an effective process to monitor these appointments. Upon identifying that these individuals were eligible for conversion, they were converted the next pay period. The Bureau created new protocols related to Schedule A(u) hires and will be enhancing internal controls related to this hiring authority.

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

a. Voluntary Separations (PWD) Answer: No

b. Involuntary Separations (PWD) Answer: No

The Bureau only had voluntary separations during the reporting period. (There were no actions processed with a termination code in FY 2017; however, two employees facing termination opted to voluntarily resign.)

PWD Target (Table B14): 11

PWD Benchmark (Table B14): 151

PWOD Target (Table B14):  $112 - 11 = 101$

PWOD Benchmark (Table B14):  $1557 - 151 = 1406$

PWD IR 7.28% > PWOD 7.18% (While the inclusion rate is 0.10% higher, we would not consider this to be a trigger since the percentages are almost identical.)

For separations, when the inclusion rate (IR) percentage is higher than the PWOD, there's a trigger.

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

a. Voluntary Separations (PWTD) Answer: Yes

b. Involuntary Separations (PWTD) Answer: No

The agency only had voluntary separations during the reporting period. (There were no actions processed with a termination code in FY 2017; however, two employees facing termination opted to voluntarily resign.)

PWTD Target (Table B14): 4

PWTD Benchmark (Table ): 45

PWOTD Target (Table B14):  $112 - 4 = 108$

PWOTD Benchmark (Table ):  $1557 - 45 = 1512$

PWTD IR 8.89% > 7.14%. This is a trigger.

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.



Currently, there is not enough exit survey data where people have self-identified as a PWTD to further investigate why a trigger exists involving the separation rate of PWTD. But see Part H-3.

## **B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES**

Pursuant to 29 C.F.R. § 1614.203(d)(4), federal agencies are required to inform job 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.consumerfinance.gov/accessibility/>

<https://www.consumerfinance.gov/accessibility/file-accessibility-complaint/>

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.consumerfinance.gov/accessibility/>

<https://www.consumerfinance.gov/accessibility/file-accessibility-complaint/>

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

In FY 2017, OCR worked with staff from the Bureau's Operations Division (Facilities) to ensure new CFPB headquarters facilities met necessary Americans with Disabilities Act and Architectural Barriers Act requirements. OCR took tours of facilities under construction to identify issues, and subsequently provided Bureau staff with a checklist of outstanding issues to be addressed. OCR continued to follow up with Facilities staff to ensure compliance with items identified. Facilities is working with the General Services Administration and necessary contractors as necessary to address outstanding issues.

Also in FY 2017, the Bureau assigned a designated individual to receive and take necessary action related to any facilities-related accessibility matters, and set up a new designated email inbox individuals can use to inform the Bureau of potential problems. This contact information was placed on the Agency's external website. Relatedly, during FY 2016 and FY 2017, a cross-agency group of Bureau professionals worked (with facilitation by the CFPB Ombuds office) to streamline the process by which members of the public can request CFPB publications and information in Braille and other accessible formats. Clear guidance for making such requests was posted on [www.consumerfinance.gov](http://www.consumerfinance.gov).

## **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.)

CFPB's reasonable accommodation standard operating procedures requires the Bureau to process reasonable accommodations requests within 30 calendar days, absent extenuating circumstances. We have been processing requests within 14 calendar days.

Of the 91 requests received in FY 2017, 10 took longer than 30 days to process. According to the Bureau's Office of Human Capital (which processes reasonable accommodation requests), two requests involved the providing of interim accommodations due to extenuating circumstances and eight were closed after the requester failed to provide responsive document requests.

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.

CFPB's current reasonable accommodation SOPs require accommodations to be provided in no more than 30 days, absent extenuating circumstances, which are strictly defined in the SOPs. If extenuating circumstances exist, CFPB must provide interim accommodations absent undue hardship. During FY 2017, OHC's Reasonable Accommodation program processed 91 reasonable accommodation cases, within an average processing time of 14 days (measured beginning the date the relevant request was received until the time a decision on the accommodation was communicated). Of the 91 cases, the Bureau had 66 cases in which the accommodation request was granted (including two cases in which the requestor was provided alternate accommodations), 21 cases where the request was withdrawn (no decision), and one case where the request for accommodation was denied for failure to provide additional documentation to support the request. As of early FY 2018, of the requests made in FY 2017 three requests are still "open"; the request has been granted but CFPB is awaiting delivery of necessary equipment. In total the Bureau has spent approximately \$21,349 (approximately \$309 for each accommodation request granted) to provide accommodations requested in FY 2017.

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

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

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

The Agency has updated its reasonable accommodation policy and SOP to include procedures for implementing the PAS requirement. The SOP provides that the process for requesting PAS, the Bureau's process for determining whether such services are required, and the Bureau's right to deny PAS requests when it would pose an undue hardship, are the same as for reasonable accommodation. The revised policy and SOPs (and accompanying forms) were submitted to EEOC for review in December 2017. In a letter dated February 9, 2018, the EEOC informed CFPB that its revised policy, SOPs, and forms had been approved in their entirety (without the need for any additional revisions), and comply with applicable EEOC regulations and guidance. CFPB is now finalizing these documents internally. CFPB will review and analyze the effectiveness of the revised policy and SOPs on an ongoing basis and as appropriate.

## Section VII: 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.

N/A

### 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.

N/A

## Section VIII: 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.

<b>Trigger</b>		
<b>Barrier(s)</b>		
<b>Objective(s)</b>		
<b>Responsible Official(s)</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>	
<b>Barrier Analysis Process Completed? (Yes or No)</b>	<b>Barrier(s) Identified? (Yes or No)</b>	
<b>Sources of Data</b>	<b>Sources Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>
Workforce Data Tables		
Complaint Data (Trends)		
Grievance Data (Trends)		
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)		
Climate Assessment Survey (e.g., FEVS)		
Exit Interview Data		
Focus Groups		
Interviews		
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)		
Other (Please Describe)		

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