

EEOC FORM
715-01
PART A - D

U.S. Equal Employment Opportunity Commission
FEDERAL AGENCY ANNUAL
EEO PROGRAM STATUS REPORT

Department of Commerce

For period covering October 1, 2015 to September 30, 2016

**PART A
Department
or Agency
Identifying
Information**

1. Agency	Department of Commerce	
1.a. 2nd level reporting component		
1.b. 3rd level reporting component		
1.c. 4th level reporting component		
2. Address	1400 Constitution Ave. NW.	
3. City, State, Zip Code	Washington	District of Columbia 20230
4. Agency Code	5. FIPS code(s)	1300

**PART B
Total
Employment**

1. Enter total number of permanent full-time and part-time employees	44364
2. Enter total number of temporary employees	1758
3. Enter total number employees paid from non-appropriated funds	0
4. TOTAL EMPLOYMENT [add lines B 1 through 3]	46122

Department of Commerce

For period covering October 1, 2015 to September 30, 2016

**PART C
Agency
Official(s)
Responsible
For Oversight
of EEO
Program(s)**

1. Agency Head

Secretary of Commerce Penny Pritzker

2. Agency Head Designee

Chief Financial Officer and Assistant Secretary for Administration
Ellen Herbst

3. EEO Director

Deputy Assistant Secretary for Administration Lisa Casias

4. Affirmative Employment Manager

Director, Policy and Evaluation Division Stacy Carter

5. Complaint Processing Manager

Director, Administration and Special Projects Division Kathryn
Anderson

6. Other EEO Staff

Director, Office of Civil Rights Tinisha Agramonte

7. MD-715 Preparer

EEO Manager Cristina Bartolomei

8. Diversity and Inclusion Officer

Deputy Assistant Secretary for Administration Lisa Casias

9. Disability Special Emphasis
Program Manager

Disability Program Manager Monique Dismuke

10. Hispanic Special Emphasis
Program Manager

EEO Manager Cristina Bartolomei

11. Women's Special Emphasis
Program Manager

EEO Manager Cristina Bartolomei

12. Anti-Harassment Program
Manager

Labor and Employee Relations Officer Frank Milman

13. Reasonable Accommodation
Program Manager

Disability Program Manager Monique Dismuke

Department of Commerce

For period covering October 1, 2015 to September 30, 2016

PART D List of Subordinate Components Covered in This Report	Subordinate Component and Location (City/State)	CPDF and FIPS codes	
	National Oceanic and Atmospheric	CM54	1323
	Office of the Secretary, Washington/DC	CM51	1300
	Bureau of the Census, Suitland/MD	CM63	1330
	International Trade Administration,	CM55	1350
	National Institute for Standards and	CM57	1341
	Bureau of Industry and Security,	CM67	1351
	Economic and Statistics Administration,	CM65	1314
	Economic Development Administration,	CM52	1325
	Minority Business Development	CM59	1352
	National Telecommunications and	CM61	1335
	Bureau of Economic Analysis,	CM53	1321
	Patent and Trademark Office,	CM56	1344
	National Technical Information Service,	CM62	1346

Department of Commerce

For period covering October 1, 2015 to September 30, 2016

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

DEPARTMENT OF COMMERCE MISSION STATEMENT

The U.S. Department of Commerce (DOC) promotes job creation, economic growth, sustainable development and improved standards of living for all Americans by working in partnership with businesses, universities, communities and our nation's workers. The Department touches the daily lives of the American people in many ways, with a wide range of responsibilities in the areas of trade, economic development, technology, entrepreneurship and business development, environmental stewardship, and statistical research and analysis.

To drive U.S. competitiveness in the global marketplace, the Department works to strengthen the international economic position of the United States and facilitates global trade by opening up new markets for U.S. goods and services. At home, the Department promotes progressive business policies that help America's businesses and entrepreneurs and their communities grow and succeed. Cutting-edge science and technology, at the Department, foster innovation; with a focus on research and development that moves quickly from the lab to the marketplace generating progress and new 21st century opportunities. No matter where businesses are in their life cycles, whether just getting off the ground or looking to expand into overseas markets, the Department is singularly focused on making U.S. companies more innovative at home and more competitive abroad, so that they can create jobs.

The Department also provides effective management and monitoring of our nation's resources and assets to support both environmental and economic health. Through critical weather monitoring, weather forecasts and resource preservation, the Department protects not only public safety and security, but also our oceans, coasts and marine life while assisting their economic development. Other essential operations conducted by the Department include the constitutionally mandated decennial census, which serves as the basis of America's representative democracy, as well as the system by which businesses and innovators secure intellectual property rights.

DOC's Efforts to Attain a Model EEO Program through the Six Essential Elements

The Department of Commerce (DOC) conducted an annual self-assessment of Section 717 and Section 501 programs compared to the six essential elements, as prescribed by EEOC's Management Directive 715 (MD-715) and they are included in Part G of this report. Where the Department found non-compliance with the MD-715 requirements, a plan was developed to address the gaps, as further discussed in Part H of this report. Below is a summary of the assessment.

Essential Element A: Demonstrated Commitment from Agency Leadership

Commerce affirmatively met 100% of the nineteen (19) measures in this element. Below are the accomplishments achieved in FY 2016 for Essential Element A.

Secretary Pritzker affirmed her commitment to equal employment opportunity and ensured a discrimination-free workplace during her tenure. (The DOC's 13 sub-components support the Departmental EEO Policy, however, some have issued additional policy statements consistent with the Commerce Secretary).

The Department of Commerce strives to be a Model EEO employer that demonstrates its commitment to equity, fairness, and inclusion in all aspects of employment, enabling all its applicants for employment and employees, regardless of protected EEO class, to realize their full potential and optimally contribute to meeting the Department's mission.

In FY 2016, DOC established the EEO Council, a governance structure that enables the Department to effectively and efficiently carry out its responsibilities under various EEO statutes, Executive Orders, regulations, and policies. The Council is led by the Director of the Office of Civil Rights and includes membership from bureau EEO Officers, the Office of General Counsel (OGC), the Office of Human Resources (OHRM), and other relevant stakeholders. The Council promotes and fosters the Department's compliance with EEO laws and enable the Department to achieve Model EEO Program status by maximizing collaboration and partnership between employees, supervisors/managers, and senior leaders, across all business lines and at all levels of the organization.

To enhance and promote further leadership commitment to EEO, the DOC hosted its first-annual EEO Summit. The theme for the summit was "Inclusion is on US: Developing a Model EEO Program," and was attended by agency leadership, managers and supervisors, and EEO staff from all bureaus. Highlights from the summit include: a "Best Practices" panel comprised of EEO Directors; training from the Office of General Counsel on EEO case law; and a series of workshops and speakers covering relevant EEO topics and the importance and impact of EEO in and outside the agency.

The DOC also launched the "Inclusion is on US" campaign. It is an educational awareness campaign that was developed by the Office of Civil Rights to realize Commerce's EEO and D&I goals. The goal of the campaign is to prevent unlawful discrimination and improve equity in the workplace as well as to promote an organizational culture that respects, values, welcomes, and engages all employees, regardless of their primary diversity dimensions, such as race, color, gender, ethnicity, age, sexual orientation, disability, and religious beliefs. In FY2016 the program featured a series of events, including a series of lunch and learn workshops on American Sign Language.

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

Commerce affirmatively met 100% of the thirty-two (32) measures in this element. Below are the accomplishments achieved in FY 2016 for Essential Element B.

The Chief Financial Officer and Assistant Secretary of Administration (CFO/ASA) is designated by Commerce policy as the Department's EEO Director. The Director of Commerce's Office of Civil Rights (OCR), reports to and is responsible to the CFO/ASA and the Deputy Assistant Secretary (DAS) for Administration. The OCR Director is the advisor to the CFO/ASA and DAS regarding the Department's responsibilities under Title VII of the Civil Rights Act of 1964 and Section 501 of the Rehabilitation Act. Within that organizational structure, the OCR Director has an effective means of informing the CFO/ASA, DAS, and senior management officials of the status of EEO programs. Specifically, the OCR Director participates in biweekly meetings with the CFO/ASA and also provides the CFO/ASA quarterly briefings on EEO performance metrics.

DOC is committed to ensure equal opportunity and accessibility for users of programs and services operated or funded by the Department, as well as to employees and job applicants. The OCR Director and other EEO staffers have regular meetings informing the Secretary's senior management officials on the status of EEO programs, policies, and procedures.

The OCR staff regularly works to improve EEO programs and services using proactive measures to generate awareness and support throughout the Department such as:

- Enterprising Women of Commerce Series: Secretary Pritzker spoke with Department of Commerce Chief Economist Ellen Hughes-Cromwick at the Enterprising Women of Commerce seminar on June 9th. She discussed her transition from private to public sector and the importance of mentoring and supporting other women.
- Inclusion is on US Series: 6-Part lunch and learn series on American Sign Language;
- Addressing Workplace Issues At-A-Glance: OCR created a chart intended to provide DOC employees and managers with a quick reference to resources for addressing employment-related issues, concerns, and/or disputes. The DOC currently integrates EEO into its human capital management considerations via the Diversity and Inclusion Strategic Plan for Fiscal Years 2012-2016. Additionally, to establish a strategic partnership with the human resources community within the Department, the OCR Director requested and was invited several times throughout FY 16 to present to the Principal Human Resources Managers Council, which is comprised of Commerce's senior human resources officials.
- Monthly observances highlighting minorities' contributions to the U.S. workforce and the need for inclusiveness in federal agencies.
- As part of its ongoing "Inclusion is on Us" campaign, in September 2016, OCR initiated Civil Treatment for Leaders and Employees. Seven employees across the Department were certified by Employment Learning Innovations, Inc. (ELI) to provide this dynamic training to supervisors and employees across the Department. The training seeks to foster an ideal Civil Treatment workplace environment where: everyday behavior aligns with organizational values to support positive business outcomes; all employees are treated consistently, professionally, and legally; business decisions are based on legitimate business criteria rather than on one's personal characteristics (e.g. race, sex, age, etc.); and all concerns are welcomed and handled promptly and appropriately.

Essential Element C: Management and Program Accountability

Commerce affirmatively met 100% of the ten (10) measures in this element. Below are the accomplishments achieved in FY 2016 for Essential Element C.

The Director of the Office of Human Resources Management (OHRM) and the Director of OCR regularly collaborate on personnel programs, policies, and procedures to ensure conformity with instructions contained in the EEOC management directives and management personnel actions.

Consistent with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), new employees are informed of their rights and remedies under antidiscrimination laws and whistleblower protection laws within 90 days of their appointment. OCR, OHRM, and the Office of General Counsel (OGC) provide employees with training on EEO-related topics through interactive sessions, lectures, and seminars.

Essential Element D: Proactive Prevention of Unlawful Discrimination

Commerce affirmatively met 90% of the ten (10) measures in this element, with one (1) unmet measure. NOAA responded negatively on multiple questions (see their MD-715 report). Below are the accomplishments achieved in FY 2016 for Essential Element D.

The Department publishes EEO policies covering harassment prevention, reasonable accommodation, information on the EEO complaint process, and employees' roles and responsibilities for EEO on its OCR website. Flyers and posters are also placed in high-traffic areas throughout the Department and its bureaus' buildings and offices to provide employees and applicants for employment notices about their EEO rights.

The Department remains committed to the early resolution of all workplace disputes and encourages parties in conflict to utilize Alternative Dispute Resolution (ADR) to resolve EEO concerns. Currently, ADR is offered to all employees entering the EEO complaint process, where appropriate. Short-term, temporary employees (including Decennial hires), applicants for employment and former employees are generally not offered ADR. ADR is currently voluntary for supervisors/managers because our ADR analysis shows the challenge rests with the individual's election, rather than in managerial support/participation in ADR.

Therefore, the Department has not made the policy decision to make ADR mandatory for managers. If future trend analysis points to managers' unwillingness to participate, after an employee elects ADR, as a barrier for resolution at the lowest level, we will review our policy decision.

In FY 2016, of the 52 instances where ADR was elected by the Complainant (47 in the pre-complaint and 5 in the formal process), there were only 4 instances of the agency declining –3 in NOAA and 1 in ITA. Therefore, the agency agreed to ADR when elected by the Complainant 92% of the time. It should be also noted that the parties engaged in settlement discussions in the ITA case, which led to a settlement in the formal process before the completion of the investigation.

Essential Element E: Efficiency

Commerce affirmatively met 97% of the thirty-two (32) measures in this element, with one (1) measure that was not applicable (NA). Below are the accomplishments achieved in FY 2016 for Essential Element E.

The Department promotes and utilizes an efficient and fair dispute process and has a system in place for evaluating the impact and effectiveness of the Department's EEO complaint processing program. Through iComplaints, DOC has an effective complaint tracking and monitoring system to increase the effectiveness of the complaint process.

Below is a summary of FY 2016 complaint data for the Department:

I. Counseling

DOC conducted 92% (400) of the pre-complaint counselings in a timely manner in FY 2016.

II. Bases of Complaints Filed

The top 3 bases of alleged discrimination most often raised were: (1) Reprisal; (2) Age; and (3) Disability.

III. Issues of Complaints Filed

The top 3 issues of all complaints filed were (1) non-sexual harassment, (2) evaluation/appraisal, and (3) assignment of duties.

IV. Complaint Processing Times

In FY 2016, 100% of the completed investigations were timely, with an average processing time of 172 days. For final agency decisions (FADs), 94.3% were timely, with an average processing time of 38 days.

DOC's average processing time for all complaint closures was 262 days. "Closed" is calculated on the 462 report and starts from the date the complaint is filed to the date the complaint is closed either by decision, settlement or withdrawal.

Essential Element F: Responsiveness and Legal Compliance

Commerce affirmatively met 100% of the nineteen (19) measures in this element. Below are the accomplishments achieved in FY 2016 for Essential Element F.

DOC has always strived for full compliance with EEO statutes and EEOC regulations, policy guidance, and other written instructions issued by EEOC.

DOC ensures that personnel are accountable for timely compliance with orders issued by EEOC Administrative Judges. It employs a system of management controls to ensure timely completion of orders and corrective actions, and the submission of its compliance report(s) to EEOC within 30 days. The DOC also maintains full compliance with Title VII and the Rehabilitation Act, including EEOC regulations, orders, and other written instructions and reports program efforts and accomplishments to the Department and EEOC.

Efforts to Identify Barriers: 3 Cross Cutting Triggers

In FY 2015, the Department established a Barrier Analysis Workgroup to carry out a holistic and in-depth analysis of its workforce profiles, working with EEO and HR representatives from its largest agencies (Census, ITA, NIST, NOAA, and PTO) to identify cross-cutting triggers affecting all bureaus. Based on this collaborative data analysis, three cross-cutting triggers were identified at the DOC and its bureaus: 1) lower than expected participation of Hispanics; 2) lower than expected participation of Individuals with Targeted Disabilities (IWTD); and 3) less than expected participation of certain RNO groups in the leadership pipeline (GS 13-15) and Senior Executive Service levels. These triggers continue to be an issue during FY 2016. In FY 2016 it was determined that each bureau will focus on one (of the three) barriers that has the most significant impact to its workforce or the barrier that the bureau has the potential to make the most strides (in mitigating or eliminating).

Note: While the above triggers are based on the Department's efforts to ensure effective outcomes by prioritizing and narrowing its collective affirmative employment goals and objectives, DOC notes that at the Bureau-level, there are additional racial and ethnic groups that have less than expected participation levels in their respective workforce. The Bureaus will continue to address affirmative employment efforts for those groups as well. The Department addressed these triggers in Part I of this report.

FY 2016 Major Accomplishments

The Department and its bureaus demonstrated their commitment to EEO and Diversity & Inclusion in a number of ways. Below we highlighted some of the major accomplishments from fiscal year (FY) 2016.

Efforts to Increase Diversity in the Applicant Pool

- Commerce utilized Federal, Departmental, and bureau programs to attract and hire new talent from a diverse applicant pool. In FY16, 250 hires were made through the Pathways Programs, and 40 Washington, DC area interns from diverse backgrounds were hosted through the 2016 Mayor Marion S. Barry Summer Youth Employment Program. The Department sustained long-standing partnerships with colleges, universities, committees, councils, and professional societies that targeted underrepresented communities and attended events hosted by the Hispanic Association of Colleges and Universities (HACU), Minority-Serving Institutions, the National Organization for the Professional Advancement of Black Chemist and Chemical Engineers, Society for Advancement of Chicanos and Native Americans in Science (SACNAS), Society of Mexican American Engineers and Scientists (MAES), Operation Warfighter (OWF) Program, Military Officers Association of America (MOAA),

American Indian Science and Engineering Society, Society of Women Engineers, National Hispanic Bar Association, Vocational Rehabilitation Offices, and others.

- Bureaus utilized various channels to increase diversity within applicant pools. The Census Bureau (CENSUS) collaborated with its affinity groups on recruitment activities. For example, the Next Gen group used their knowledge of social media to share information on employment opportunities and Blacks in Government promoted job opportunities through their monthly newsletters. The National Institute of Standards and Technology (NIST) promoted NIST as a best place to work by posting the Careers@NIST video and The Scope that NIST Build video on social media. The National Oceanic and Atmospheric Administration (NOAA) continued to support the NOAA Educational Partnership Program with Minority-Serving Institutions to increase the number of students from underrepresented minority communities who are educated, trained, and graduated in fields that directly support NOAA's mission. The U.S. Patent and Trademark Office (USPTO) hosted its first-ever recruitment Twitter chat to promote patent examiner positions in Silicon Valley and Dallas and as of June 2016, the USPTO's LinkedIn followers exceeded 20,000.

- The Department and bureaus maintained their long-standing partnerships with groups targeting the Hispanic population, including HACU, SACNAS, MAES, Society of Hispanic Professional Engineers (SHPE), Hispanic-Serving Institutions (HSIs), HSI Alumni Groups, League of United Latin American Citizens, Census Latino Employee Organization (CLEO), National Association of Hispanic Federal Executives, National Council of La Raza, National Council of Hispanic Employment Program Managers, and National Society of Hispanic Physicists. The Department participated as an exhibitor at OPM's 2016 Hispanic Heritage Month Student Forum and the Hispanic Bar Association of the District of Columbia's Career Fair to raise awareness about the opportunities that exist in the Department of Commerce.

- Bureaus engaged in other partnerships and activities, to promote opportunities to the Hispanic community. NOAA's Office of Oceanic and Atmospheric Research (OAR) exhibited at the Denver Public School 8th Grade Career Day with over 4,000 attendees. The school district population is 76% minority (56% Hispanic). NOAA OAR also met with Hispanic representatives from Centro Latino Americano Para Las Artes, Ciencia y Educacion (CLACE), Telemundo, and I Have a Dream Foundation to discuss collaborations and outreach efforts between NOAA Boulder and the local Hispanic community. A Hispanic Heritage Month: Learning About STEM video, featuring CLACE, was distributed NOAA OAR-wide. CLACE encourages Latino youth and their families to live, learn, love, and embrace science and the environment as an everyday experience. NOAA OAR also coordinated meetings with two NOAA Cooperative Science Centers that include HSIs and Hispanic students.

- USPTO launched a 21st century marketing strategy to increase awareness, consideration, and preference for USPTO as a top employer of choice among Hispanic millennials. Feedback collected from the OEEOD, SHPE, and focus groups with Hispanic millennials and Hispanic supervisors helped form a targeted digital campaign leveraging social media, video, and online channels to amplify messages about community, career success and work/life balance. The campaign also highlighted the recent announcement of the Telework Enhancement Act Pilot Program expansion to Puerto Rico. Two of the most engaging results of the campaign included the launch of a new webpage dedicated to highlighting USPTO's Hispanic community and a special Twitter chat using the hashtag, "#SomosUSPTO."

Special Emphasis Programs, EEO, and Diversity Efforts to Improve Employee Engagement and Retention

- The Department currently has approximately 56 affinity groups, of which 28 are at CENSUS. The Bureau of Economic Analysis (BEA) developed a Pathways Cohort Program, to educate Pathways participants on the various program areas within BEA and to collect feedback from participants on the recruiting and onboarding process. The International Trade Administration (ITA) held its third Annual ITA Day, to have employees get to know each other, learn more about ITA, and attend in-house professional development sessions. NOAA hosted work-life webinars with approximately 1,400 NOAA participants in FY16. USPTO produced a series of on-demand special emphasis month videos, broadcasted events and programs when appropriate, and held in-person events to increase engagement of the regional employees.

- The Under Secretary of Commerce for Intellectual Property and Director of USPTO published a statement in support of equal employment opportunity (EEO) in USPTO Weekly to all employees. USPTO's Director of the Office of Equal Employment Opportunity and Diversity (OEEOD) continued to deliver diversity messages to managers through the Diversity Counts blog and informed them of events hosted by the affinity groups. NOAA drafted guidance to be used by hiring officials to assist with ensuring diversity on interview panels.

- CENSUS continued to utilize the Hispanic Employment, Outreach & Retention Committee to address employment and retention of Hispanics and ensure that all divisions successfully implement practices to improve outreach recruitment, hiring, career development, retention, and advancement of Hispanics. One strategy that CENSUS identified to address retention of Hispanics is to increase participation of Hispanic employees in the Job Rotation Program, Census Emerging Professionals Program, Mentoring Program, and Leadership Program by collaborating with program offices to better promote the opportunities to the Hispanic workforce. Another strategy identified by CENSUS is to include Hispanic employees with the language skills and experience to serve the Hispanic community for the 2020 Census. It was evident in the 2010 Census that the need for employees with first-hand experience reaching hard-to-count communities was essential. Many of the current CENSUS Hispanic employees have data collection experience and language skills to develop the appropriate communication tools for the 2020 CENSUS.

Department-wide Accomplishments in Recruitment, Hiring and Advancement of Individuals with Disabilities (IWD)

The Department also had number of accomplishments in the recruitment, hiring, and advancement of Individuals with

Disabilities (IWD). Below we highlighted some of the major accomplishments from fiscal year (FY) 2016.

- The Department continued to promote and utilize hiring flexibilities for disabled veterans and individuals with disabilities (IWD) to increase the participation rate of individuals with disabilities and reach its established goal of 2% of the total workforce consisting of individuals with targeted disabilities (IWTD). Currently, the participation rate for IWD is 3,886 (8.4%), up from 3772 in FY15, and IWTD is 396 (0.9%), up from 365 (0.8%) in FY15.
- Additionally, the Department implemented a hiring goal of 12.5% for new hires with disabilities and 1.0% for new hires with targeted disabilities. Out of approximately 5,695 new hires Department-wide, 860 (or 15.1%) self-identified as having a disability, exceeding the Commerce goal of 12.5%; 80 (1.41%) identified as having a targeted disability; and 214 were disabled veterans. This hiring initiative will remain in effect until the Department reaches its overall goal of 2% of the workforce with targeted disabilities.
- The Department also utilized talent banks and databases to access resumes and disability certifications for Schedule A candidates resulting in 80 new hires under the Schedule A hiring authority.
- Another initiative contributing to the increase participation rate for IWD and IWTD was the Department's launch of a Commerce-wide broadcast message to re-survey the workforce population. The message asked employees to self-identify their disability status in the Employee Personal Page (EPP) or using the SF-256 Self-Identification of Disability form.
- The Department hired a full time Disability Program Manager responsible for identifying barriers to equal employment opportunities for IWDs and assisting the agency in developing strategies to eliminate the barriers. The DPM will also work closely with Agency partners (HR, D&I Council, ERGs) to increase and improve the recruitment, hiring, retention and advancement of IWDs.
- In an effort to increase the number of qualified applicants with disabilities, the Department conducted outreach and recruitment efforts at career fairs and events targeting veterans and IWDs, including job fairs hosted by the Operation Warfighter Program (OWF), a Federal internship program for wounded, ill, and injured service members, and Military Officers Association of America (MOAA). The Department also continued its collaboration with other Federal, state, and local agencies to recruit IWDs and build relationships with Vocational Rehabilitation Agencies to obtain pre-screened qualified Schedule A applicants who are ready for work.
- To increase awareness of and accountability for the Department's goal to increase the participation rate of IWD and IWTD's, the National Institute of Standards and Technology's (NIST) Selective Placement Program Coordinator (SPPC) provided management with quarterly data on the percentage of veterans, disabled veterans, and IWDs hired and progress towards meeting the Department's goal. NIST also maintained a catalog of applicants eligible for non-competitive hiring authorities, such as Schedule A, to be shared with hiring managers when vacant positions were available to be filled. As result, NIST had 5 new hires under Schedule A.
- The SPPC for CENSUS and MBDA reviewed every vacancy announcement to determine if there were any qualified Schedule A or disabled veteran candidates in the database that should be considered for the position before advertising it publicly. As a result, the CENSUS SPPC processed over 200 announcements, 190 candidates were referred, 60 offers were made, and 55 offers were accepted by Schedule A candidates or disabled veterans. MBDA also had 2 new hires under Schedule A.
- The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Patent and Trade Office (USPTO) utilized the Workforce Recruitment Program (WRP) for College Students with Disabilities database to identify IWDs that may be good candidates for employment and referred them to hiring managers. As a result, NOAA had 9 new hires and USPTO 15 new hires under Schedule A.
- As a best practice, the Department utilized its Hiring Initiatives for Americans with Disabilities website to provide public access to its employment program, information on employment opportunities and the hiring process, points of contacts for reasonable accommodation requests, and assistive technology resources. Applicants that had questions on Schedule A appointments or wanted to receive technical assistance on how to apply, could email a centralized email account for Schedule A. Veterans, including veterans with disabilities, that had questions on employment opportunities and how to apply, could email a centralized email account for Veterans.
- Other best practice implemented in FY16 included:
 - NIST sent new hires official letters that included the name and contact information for the NIST Reasonable Accommodation Coordinator (RAC). New hires were also provided information on disability resources and reasonable accommodation during the new employee orientation. The NIST Disability Program Manager and SPPC periodically reached out to employees with disabilities to assist them with their transition.
 - The Civil Rights and Diversity Office (CRDO) displayed posters and periodically sent postcards to employees with contact information for CRDO staff, EEO Counselors, and the designated RAC.
 - USPTO's Disability Working Group collaborated with the Office of Human Resources to develop a new webpage on USPTO's career website to provide clear, actionable information for potential candidates that are eligible for employment through USPTO's disability hiring programs.

EEOC FORM 715-01 PART F	U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT
Department of Commerce	For period covering October 1, 2015 to September 30, 2016

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

I, Deputy Assistant Secretary for Administration Lisa Casias am the

(Insert name above) (Insert official
title/series/grade above)

Principal EEO Director/Official for Department of Commerce

(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 Agency Head or Agency Head Designee

Date

Signature of Principal EEO Director/Official

Date

Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.

Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP
Requires the agency head to issue written policy statements ensuring a workplace free of discriminatory harassment and a commitment to equal employment opportunity.

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Compliance Indicator		Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures	EEO policy statements are up-to-date.	Yes	No	N/A	
	The Agency Head was installed on <u>06/25/2013</u> The EEO policy statement was issued on <u>02/05/2014</u> Was the EEO policy statement issued within 6-9 of the installation of the Agency Head?	X			
	During the current Agency Head's tenure, has the EEO policy Statement been re-issued annually? If no, provide an explanation.		X		The EEO policy statement was not issued in 2015. It was issued again in May 2016.
	Are new employees provided a copy of the EEO policy statement during orientation?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
	When an employee is promoted into the supervisory ranks, is s/he provided a copy of the EEO policy statement?	X			
Compliance Indicator		Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures	EEO policy statements have been communicated to all employees.	Yes	No	N/A	
	Have the heads of subordinate reporting components communicated support of all agency EEO policies through the ranks?	X			
	Has the agency made written materials available to all employees and applicants, informing them of the variety of EEO programs and administrative and judicial remedial procedures available to them?	X			

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Has the agency prominently posted such written materials in all personnel offices, EEO offices, and on the agency's internal website? [see 29 CFR §1614.102(b)(5)]	X			

Compliance Indicator	Agency EEO policy is vigorously enforced by agency management.	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					
Are managers and supervisors evaluated on their commitment to agency EEO policies and principles, including their efforts to:		X			
resolve problems/disagreements and other conflicts in their respective work environments as they arise?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
address concerns, whether perceived or real, raised by employees and following-up with appropriate action to correct or eliminate tension in the workplace?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
support the agency's EEO program through allocation of mission personnel to participate in community out-reach and recruitment programs with private employers, public schools and universities?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.

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ensure full cooperation of employees under his/her supervision with EEO office officials such as EEO Counselors, EEO Investigators, etc.?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
ensure a workplace that is free from all forms of discrimination, harassment and retaliation?	X			
ensure that subordinate supervisors have effective managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications ?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
ensure the provision of requested religious accommodations when such accommodations do not cause an undue hardship?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
ensure the provision of requested disability accommodations to qualified individuals with disabilities when such accommodations do not cause an undue hardship?	X			
Have all employees been informed about what behaviors are inappropriate in the workplace and that this behavior may result in disciplinary actions? Describe what means were utilized by the agency to so inform its workforce about the penalties for unacceptable behavior.	X			DAO 202-751, Discipline
Have the procedures for reasonable accommodation for individuals with disabilities been made readily available/accessible to all employees by disseminating such procedures during orientation of new employees and by making such procedures available on the World Wide Web or Internet?	X			
Have managers and supervisor been trained on their responsibilities under the procedures for reasonable accommodation?	X			

Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION
Requires that the agency's EEO programs be organized and structured to maintain a workplace that is free from discrimination in any of the agency's policies, procedures or practices and supports the agency's strategic mission.

Department of Commerce For period covering **October 1, 2015 to September 30, 2016**

Compliance Indicator	The reporting structure for the EEO Program provides the Principal EEO Official with appropriate authority and resources to effectively carry out a successful EEO Program.	Measure 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					
Is the EEO Director under the direct supervision of the agency head? [see 29 CFR §1614.102(b)(4)] For subordinate level reporting components, is the EEO Director/Officer under the immediate supervision of the lower level component's head official? (For example, does the Regional EEO Officer report to the Regional Administrator?)		X			Yes, for the Department of Commerce. Not in all cases for some subordinate level reporting components. However, they submit their own MD-715 reports and have addressed this measure.
Are the duties and responsibilities of EEO officials clearly defined?		X			
Do the EEO officials have the knowledge, skills, and abilities to carry out the duties and responsibilities of their positions?		X			
If the agency has 2nd level reporting components, are there organizational charts that clearly define the reporting structure for EEO programs?		X			
If the agency has 2nd level reporting components, does the agency-wide EEO Director have authority for the EEO programs within the subordinate reporting		X			
If not, please describe how EEO program authority is delegated to subordinate reporting components.		X			
Compliance Indicator	The EEO Director and other EEO professional staff responsible for EEO programs have regular and effective means of informing the agency head and senior management officials of the status of EEO programs and are involved in, and consulted on, management/personnel actions.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	

Department of Commerce	For period covering October 1, 2015 to September 30, 2016			
Does the EEO Director/Officer have a regular and effective means of informing the agency head and other top management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Following the submission of the immediately preceding FORM 715-01, did the EEO Director/Officer present to the head of the agency and other senior officials the "State of the Agency" briefing covering all components of the EEO report, including an assessment of the performance of the agency in each of the six elements of the Model EEO Program and a report on the progress of the agency in completing its barrier analysis including any barriers it identified and/or eliminated or reduced the impact of?	X			
Are EEO program officials present during agency deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.

Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions such as reorganizations and re-alignments?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Are management/personnel policies, procedures and practices examined at regular intervals to assess whether there are hidden impediments to the realization of equality of opportunity for any group(s) of employees or applicants? [see 29 C.F.R. § 1614.102(b)(3)]	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.

Department of Commerce		For period covering October 1, 2015 to September 30, 2016				
Is the EEO Director included in the agency's strategic planning, especially the agency's human capital plan, regarding succession planning, training, etc., to ensure		X				All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Compliance Indicator	The agency has committed sufficient human resources and budget allocations to its EEO programs to ensure successful operation.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report	
Measures		Yes	No	N/A		
Does the EEO Director have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity?		X				
Are sufficient personnel resources allocated to the EEO Program to ensure that agency self-assessments and self-analyses prescribed by EEO MD-715 are conducted annually and to maintain an effective complaint processing system?		X				
Are statutory/regulatory EEO related Special Emphasis Programs sufficiently		X				
Federal Women's Program - 5 U.S.C. 7201; 38 U.S.C. 4214; Title 5 CFR, Subpart B, 720.204		X				
Hispanic Employment Program - Title 5 CFR, Subpart B, 720.204		X				
People With Disabilities Program Manager; Selective Placement Program for Individuals With Disabilities - Section 501 of the Rehabilitation Act; Title 5 U.S.C. Subpart B, Chapter 31, Subchapter I-3102; 5 CFR 213.3102(t) and (u); 5 CFR 315.709		X				
Are other agency special emphasis programs monitored by the EEO Office for coordination and compliance with EEO guidelines and principles, such as FEORP - 5 CFR 720; Veterans Employment Programs; and Black/African American; American Indian/Alaska Native, Asian American/Pacific Islander programs?		X				
Compliance Indicator	The agency has committed sufficient budget to support the success of its EEO Programs.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report	
Measures		Yes	No	N/A		

Department of Commerce	For period covering October 1, 2015 to September 30, 2016			
Are there sufficient resources to enable the agency to conduct a thorough barrier analysis of its workforce, including the provision of adequate data collection and tracking systems	X			
Is there sufficient budget allocated to all employees to utilize, when desired, all EEO programs, including the complaint processing program and ADR, and to make a request for reasonable accommodation? (Including subordinate level reporting components?)	X			
Has funding been secured for publication and distribution of EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures, etc.)?	X			
Is there a central fund or other mechanism for funding supplies, equipment and services necessary to provide disability accommodations?	X			
Does the agency fund major renovation projects to ensure timely compliance with Uniform Federal Accessibility Standards?	X			
Is the EEO Program allocated sufficient resources to train all employees on EEO Programs, including administrative and judicial remedial procedures available to employees?	X			
Is there sufficient funding to ensure the prominent posting of written materials in all personnel and EEO offices? [see 29 C.F.R. § 1614.102(b)(5)]	X			
Is there sufficient funding to ensure that all employees have access to this training and information?	X			
Is there sufficient funding to provide all managers and supervisors with training and periodic up-dates on their EEO responsibilities:				
for ensuring a workplace that is free from all forms of discrimination, including harassment and retaliation?	X			
to provide religious accommodations?	X			
to provide disability accommodations in accordance with the agency's written procedures?	X			
in the EEO discrimination complaint process?	X			
to participate in ADR?	X			

Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY

This element requires the Agency Head to hold all managers, supervisors, and EEO Officials responsible for the effective implementation of the agency's EEO Program and Plan.

Department of Commerce

For period covering October 1, 2015 to September 30, 2016

Compliance Indicator	EEO program officials advise and provide appropriate assistance to managers/supervisors about the status of EEO programs within each manager's or supervisor's area or responsibility.	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					
Are regular (monthly/quarterly/semi-annually) EEO updates provided to management/supervisory officials by EEO program officials?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Do EEO program officials coordinate the development and implementation of EEO Plans with all appropriate agency managers to include Agency Counsel, Human Resource Officials, Finance, and the Chief information Officer?		X			
Compliance Indicator	The Human Resources Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC management directives. [see 29 CFR § 1614.102(b)(3)]	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Have time-tables or schedules been established for the agency to review its Merit Promotion Program Policy and Procedures for systemic barriers that may be impeding full participation in promotion opportunities by all groups?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA) and The U.S. Patent and Trademark Office (PTO). See NOAA and PTO's FY2016 MD715 respective report's Part H's.

Department of Commerce		For period covering October 1, 2015 to September 30, 2016				
Have time-tables or schedules been established for the agency to review its Employee Recognition Awards Program and Procedures for systemic barriers that may be impeding full participation in the program by all groups?		X				All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Have time-tables or schedules been established for the agency to review its Employee Development/Training Programs for systemic barriers that may be impeding full participation in training opportunities by all groups?		X				All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Compliance Indicator	When findings of discrimination are made, the agency explores whether or not disciplinary actions should be taken.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report	
Measures		Yes	No	N/A		
Does the agency have a disciplinary policy and/or a table of penalties that covers employees found to have committed discrimination?		X				

Have all employees, supervisors, and managers been informed as to the penalties for being found to perpetrate discriminatory behavior or for taking personnel actions based upon a prohibited basis?		X				All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
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Department of Commerce	For period covering October 1, 2015 to September 30, 2016		
<p>Has the agency, when appropriate, disciplined or sanctioned managers/supervisors or employees found to have discriminated over the past two years?</p>	X		<p>In FY2015 there were 4 findings of discrimination. In one case, the official was reassigned from her supervisory position to a non-supervisory position. She was eventually removed from the Federal service due to this and other misconduct not related to the complaint. In a second case, one of the responsible management officials had already been removed from the Federal service due to whistleblower violations related to the same individual in the complaint. A second management official retired after he received a notice of proposed removal for the same whistleblower violation as the first. He retired before the FAD was issued. In the third case, the responsible managers received written reprimands that will be removed from their files in two years if there are no further incidents. In the fourth case, the deciding official declined to take disciplinary action against the two responsible officials, citing their long and successful service with the Agency. One of the officials subsequently retired.</p>
<p>If so, cite number found to have discriminated and list penalty /disciplinary action</p>			

Department of Commerce	For period covering October 1, 2015 to September 30, 2016			
Does the agency promptly (within the established time frame) comply with EEOC, Merit Systems Protection Board, Federal Labor Relations Authority, labor arbitrators, and District Court orders?	X			
Does the agency review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.??	X			

Essential Element D: PROACTIVE PREVENTION Requires that the agency head makes early efforts to prevent discriminatory actions and eliminate barriers to equal employment opportunity in the workplace.					
Department of Commerce		For period covering October 1, 2015 to September 30, 2016			
Compliance Indicator	Analyses to identify and remove unnecessary barriers to employment are conducted throughout the year.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Do senior managers meet with and assist the EEO Director and/or other EEO Program Officials in the identification of barriers that may be impeding the realization of equal employment opportunity?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
When barriers are identified, do senior managers develop and implement, with the assistance of the agency EEO office, agency EEO Action Plans to eliminate said barriers?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans?		X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.

Department of Commerce	For period covering October 1, 2015 to September 30, 2016			
Are trend analyses of workforce profiles conducted by race, national origin, sex and disability?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Are trend analyses of the workforce's major occupations conducted by race, national origin, sex and disability?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Are trends analyses of the workforce's grade level distribution conducted by race, national origin, sex and disability?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Are trend analyses of the workforce's compensation and reward system conducted by race, national origin, sex and disability?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.
Are trend analyses of the effects of management/personnel policies, procedures and practices conducted by race, national origin, sex and disability?	X			All Commerce bureaus reported that they met this measure except the National Oceanic and Atmospheric Administration (NOAA). See NOAA's FY2016 MD715 Report's Part H.

Department of Commerce		For period covering October 1, 2015 to September 30, 2016			
Compliance Indicator	The use of Alternative Dispute Resolution (ADR) is encouraged by senior management.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Are all employees encouraged to use ADR?		X			
Is the participation of supervisors and managers in the ADR process required?			X		ADR is not required. However, supervisors and managers are expected to participate. Our available data shows that management agreed to participate in ADR 92% of the times when elected by the Complainant. Therefore, the Department has not made the policy decision to make ADR mandatory for managers. See Part H-2.

Essential Element E: EFFICIENCY Requires that the agency head ensure that there are effective systems in place for evaluating the impact and effectiveness of the agency's EEO Programs as well as an efficient and fair dispute resolution process.	
Department of Commerce	For period covering October 1, 2015 to September 30, 2016

Department of Commerce		For period covering October 1, 2015 to September 30, 2016			
Compliance Indicator	The agency has sufficient staffing, funding, and authority to achieve the elimination of identified barriers.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the EEO Office employ personnel with adequate training and experience to conduct the analyses required by MD-715 and these instructions?		X			
Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715 and these instructions?		X			
Have sufficient resources been provided to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination under Title VII and the Rehabilitation Act?		X			
Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations in all major components of the agency?		X			
Are 90% of accommodation requests processed within the time frame set forth in the agency procedures for reasonable accommodation?		X			
Compliance Indicator	The agency has an effective complaint tracking and monitoring system in place to increase the effectiveness of the agency's EEO Programs.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency use a complaint tracking and monitoring system that allows identification of the location, and status of complaints and length of time elapsed at each stage of the agency's complaint resolution process?		X			
Does the agency's tracking system identify the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends?		X			
Does the agency hold contractors accountable for delay in counseling and investigation processing times?		X			
If yes, briefly describe how:					
Does the agency monitor and ensure that new investigators, counselors, including contract and collateral duty investigators, receive the 32 hours of training required in accordance with EEO Management Directive MD-110?		X			
Does the agency monitor and ensure that experienced counselors, investigators, including contract and collateral duty investigators, receive the 8 hours of refresher training required on an annual basis in accordance with EEO Management Directive MD-110?		X			

Department of Commerce		For period covering October 1, 2015 to September 30, 2016			
Compliance Indicator	The agency has sufficient staffing, funding and authority to comply with the time frames in accordance with the EEOC (29 C.F.R. Part 1614) regulations for processing EEO complaints of employment discrimination.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Are benchmarks in place that compare the agency's discrimination complaint processes with 29 C.F.R. Part 1614?		X			
Does the agency provide timely EEO counseling within 30 days of the initial request or within an agreed upon extension in writing, up to 60 days?		X			All Commerce bureaus reported that they met this measure except ITA. See ITA's FY2016 MD715 Report's Part H.
Does the agency provide an aggrieved person with written notification of his/her rights and responsibilities in the EEO process in a timely fashion?		X			
Does the agency complete the investigations within the applicable prescribed time frame?		X			
When a complainant requests a final agency decision, does the agency issue the decision within 60 days of the request?		X			
When a complainant requests a hearing, does the agency immediately upon receipt of the request from the EEOC AJ forward the investigative file to the EEOC Hearing Office?		X			
When a settlement agreement is entered into, does the agency timely complete any obligations provided for in such agreements?		X			
Does the agency ensure timely compliance with EEOC AJ decisions which are not the subject of an appeal by the agency?		X			
Compliance Indicator	There is an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of the agency's EEO complaint processing program.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
In accordance with 29 C.F.R. §1614.102(b), has the agency established an ADR Program during the pre-complaint and formal complaint stages of the EEO process?		X			
Does the agency require all managers and supervisors to receive ADR training in accordance with EEOC (29 C.F.R. Part 1614) regulations, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR?		X			

Department of Commerce		For period covering October 1, 2015 to September 30, 2016			
After the agency has offered ADR and the complainant has elected to participate in ADR, are the managers required to participate?			X		ADR is not required. However, supervisors and managers are expected to participate. See Part H-2.

Does the agency ensure that the responsible management official directly involved in the dispute does not have settlement authority?		X			
Compliance Indicator	The agency has effective systems in place for maintaining and evaluating the impact and effectiveness of its EEO programs.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency have a system of management controls in place to ensure the timely, accurate, complete and consistent reporting of EEO complaint data to the		X			
Does the agency provide reasonable resources for the EEO complaint process to ensure efficient and successful operation in accordance with 29 C.F.R. § 1614.102		X			
Does the agency EEO office have management controls in place to monitor and ensure that the data received from Human Resources is accurate, timely received, and contains all the required data elements for submitting annual reports to the EEOC?		X			
Do the agency's EEO programs address all of the laws enforced by the EEOC?		X			
Does the agency identify and monitor significant trends in complaint processing to determine whether the agency is meeting its obligations under Title VII and the Rehabilitation Act?		X			
Does the agency track recruitment efforts and analyze efforts to identify potential barriers in accordance with MD-715 standards?		X			
Does the agency consult with other agencies of similar size on the effectiveness of their EEO programs to identify best practices and share ideas?		X			
Compliance Indicator	The agency ensures that the investigation and adjudication function of its complaint resolution process are separate from its legal defense arm of agency or other offices with conflicting or competing interests.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Are legal sufficiency reviews of EEO matters handled by a functional unit that is separate and apart from the unit which handles agency representation in EEO		X			
Does the agency discrimination complaint process ensure a neutral adjudication function?		X			

Department of Commerce	For period covering October 1, 2015 to September 30, 2016			
If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints?	X			

Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE This element requires that federal agencies are in full compliance with EEO statutes and EEOC regulations, policy guidance, and other written instructions.	
Department of Commerce	For period covering October 1, 2015 to September 30, 2016

Department of Commerce		For period covering October 1, 2015 to September 30, 2016			
Compliance Indicator	Agency personnel are accountable for timely compliance with orders issued by EEOC Administrative Judges.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency have a system of management control to ensure that agency officials timely comply with any orders or directives issued by EEOC Administrative		X			
Compliance Indicator	The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency have control over the payroll processing function of the agency? If Yes, answer the two questions below.		X			
Are there steps in place to guarantee responsive, timely, and predictable processing of ordered monetary relief?		X			
Are procedures in place to promptly process other forms of ordered relief?		X			
Compliance Indicator	The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Is compliance with EEOC orders encompassed in the performance standards of any agency employees?		X			
If so, please identify the employees by title in the comments section, and state how performance is measured.		Kathryn Anderson, Director of Administration & Special Projects and Acting Director of the Program and Implementation Division, OCR, oversees and monitors agency's compliance with EEOC orders and it is covered in her performance plan.			
Is the unit charged with the responsibility for compliance with EEOC orders located in the EEO office?		X			
If not, please identify the unit in which it is located, the number of employees in the unit, and their grade levels in the comments section.					
Have the involved employees received any formal training in EEO compliance?		X			

Department of Commerce	For period covering October 1, 2015 to September 30, 2016			
Does the agency promptly provide to the EEOC the following documentation for completing compliance:				
Attorney Fees: Copy of check issued for attorney fees and /or a narrative statement by an appropriate agency official, or agency payment order dating the dollar amount of attorney fees paid?	X			
Awards: A narrative statement by an appropriate agency official stating the dollar amount and the criteria used to calculate the award?	X			
Back Pay and Interest: Computer print-outs or payroll documents outlining gross back pay and interest, copy of any checks issued, narrative statement by an appropriate agency official of total monies paid?	X			
Compensatory Damages: The final agency decision and evidence of payment, if made?	X			
Training: Attendance roster at training session(s) or a narrative statement by an appropriate agency official confirming that specific persons or groups of persons attended training on a date certain?	X			
Personnel Actions (e.g., Reinstatement, Promotion, Hiring, Reassignment): Copies of SF-50s	X			
Posting of Notice of Violation: Original signed and dated notice reflecting the dates that the notice was posted. A copy of the notice will suffice if the original is not available.	X			
Supplemental Investigation: 1. Copy of letter to complainant acknowledging receipt from EEOC of remanded case. 2. Copy of letter to complainant transmitting the Report of Investigation (not the ROI itself unless specified). 3. Copy of request for a hearing (complainant's request or agency's transmittal letter).	X			
Final Agency Decision (FAD): FAD or copy of the complainant's request for a hearing.	X			
Restoration of Leave: Print-out or statement identifying the amount of leave restored, if applicable. If not, an explanation or statement.	X			
Civil Actions: A complete copy of the civil action complaint demonstrating same issues raised as in compliance matter.	X			
Settlement Agreements: Signed and dated agreement with specific dollar amounts, if applicable. Also, appropriate documentation of relief is provided.	X			

Footnotes:

1. See 29 C.F.R. § 1614.102.

2. When an agency makes modifications to its procedures, the procedures must be resubmitted to the Commission. See EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation (10/20/00), Question 28

EEOC FORM 715-01 PART H-1		U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT	
Department of Commerce		For period covering October 1, 2015 to September 30, 2016	
STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:	Essential Element A: Demonstrated Commitment from Agency Leadership During the current Agency Head's tenure, the annual EEO Policy Statement for 2015 was not issued.		
OBJECTIVE:	Issue the updated Secretarial EEO Policy Statement.		
RESPONSIBLE OFFICIAL:	Director of the Office of Civil Rights		
DATE OBJECTIVE INITIATED:	01/25/2016		
TARGET DATE FOR COMPLETION OF OBJECTIVE:	04/30/2016		
PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:			
REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE			
The objective was accomplished in May of FY2016.			
EEOC FORM 715-01 PART H-2		U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT	
Department of Commerce		For period covering October 1, 2015 to September 30, 2016	
STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:	Essential Element D: Proactive Prevention ADR is voluntary for all parties in the EEO process. The Agency does not require managers to participate in ADR after it has been offered and accepted by the Complainant.		
OBJECTIVE:	To determine if not requiring managers to participate in ADR after elected by the Complainant is a barrier to resolution efforts.		
RESPONSIBLE OFFICIAL:	Director of the Office of Civil Rights		
DATE OBJECTIVE INITIATED:	01/25/2017		
TARGET DATE FOR COMPLETION OF OBJECTIVE:	09/30/2017		
PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:			

Available FY 16 data for bureaus serviced by the Office of Secretary (OS) shows that there were 52 instances where ADR was elected by the Complainant (47 in the pre-complaint and 5 in the formal process). From these elections, there were four (4) instances of managers/supervisors declining to participate in the ADR efforts. Therefore, managers/supervisors agreed to ADR when elected by the Complainant 92% of the time. It should also be noted that for one of the declinations in pre-complaint stage, ADR was conducted in the formal stage and those efforts led to a mutual settlement of the case before the completion of the investigation.

The Agency will continue to monitor OS-serviced bureaus and other bureaus' trends for cases where managers decline ADR after the Complainant has elected it. This information will be monitored quarterly and appropriate remedial measures will be adopted if the data shows that not requiring managers to participate in ADR efforts is a barrier to resolution efforts.

TARGET DATE: 09/30/2017

REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE

The Department remains committed to the early resolution of workplace disputes. The Secretary incorporated support for ADR in the annual EEO policy statement. The available data for FY 2016 shows that the Agency agreed to participate in ADR 92% of the times when elected by the Complainant. However, as part of continued efforts to promote proactive conflict resolution, the Agency highlights the following initiatives: Department-wide Resource Tool: The Department's Office of Civil Rights (OCR) issued an "Addressing Workplace Conflicts - At a Glance" guide that was sent out via broadcast message to all DOC employees on March 28, 2016. This guide provides clear and concise guidance to DOC employees, managers and contract employees on various avenues to address workplace conflicts. Alternate Forums: In FY 2016, 80% of the individuals contacting the EEO Office that services the Office of the Secretary and other bureaus within the Department, elected alternative means of addressing workplace conflict after consultation with staff. A total of 242 consultations were held in this period. This result is attributed to the clear, fact-based guidance and alternatives for addressing workplace conflicts offered by the team. Proactive Prevention Workshops: The Department's OCR offered a series of proactive prevention workshops in FY 2016, focusing on cross cultural awareness, multigenerational work teams and emotional intelligence to all employees in the DC metro area. A total of 192 employees from across the Department attended the various sessions. Twenty-three percent (23%) of the workshop participants were in supervisory positions; 62% of the attendees were females and 38% males. Because attendee feedback is the cornerstone of measuring the effectiveness of these sessions, CSRD was successful in soliciting feedback from 93% of the workshop participants. The workshops received a combined average rating of 4.4 for overall value; and the facilitator received a combined rating of 4.6 on a 1 to 5-point scale with 5 being the highest positive rating. The sessions have been highly recommended and OCR has received numerous requests to offer the sessions in the future. Mediation Feedback: To assess the effectiveness of ADR/mediation sessions, the OS EEO Office continually solicits feedback from all participants. In FY2016, 100% of the participants (including Complainants, their representatives, management officials and Agency counsel) reported they would utilize mediation in the future and recommend to others. Data from feedback shows that 85% reported they were satisfied with the process and the outcome, and 15% reported they were not satisfied. On closer review, the explanation provided by the participants for this lack of satisfaction was that a resolution was not reached. Despite the lack of resolution, all participants indicated they would use the process again and recommend to others.

EEOC FORM 715-01 PART H-3	U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT	
Department of Commerce		For period covering October 1, 2015 to September 30, 2016
STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:	Essential Element A: Demonstrated Commitment from Agency Leadership Managers and supervisors are not evaluated in their efforts to (1) support agency's EEO program through allocation of personnel to participate in community outreach and recruitment programs; (2) ensure full cooperation of their employees with EEO office officials; (3) ensure a workplace that is free from all forms of discrimination; (4) ensure that subordinate supervisors have effective managerial skills to supervise a diverse workplace and avoid disputes.	
OBJECTIVE:	The OCR Director, OHRM Director, and responsible officials across the Bureaus will work together to develop uniform language that will be incorporated across multiple performance management systems. This will be done through the HR community in partnership with the EEO Officers.	
RESPONSIBLE OFFICIAL:	OCR and OHRM Directors	
DATE OBJECTIVE INITIATED:	01/25/2016	
TARGET DATE FOR COMPLETION OF OBJECTIVE:	09/30/2016	
PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:		
REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE		
OCR and OHRM Directors reviewed the mandatory diversity language that was in all supervisors' performance plans and determined it was broad enough to cover the areas in question. The objective was accomplished in FY2016.		

EEOC FORM 715-01 PART I-1		U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT	
Department of Commerce		For period covering October 1, 2015 to September 30, 2016	
<p>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>		<p>Hispanics have less than expected participation in the DOC workforce. They also have less than expected participation in the Leadership Pipeline and are separating at higher rates than their hires.</p>	
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>		<p>DOC reviewed workforce data and determined that Hispanics are applying and qualifying for vacancies at a rate equivalent to the CLF, however they are not being selected or they are being selected at low rates. In addition, they are separating at higher rates than their hires. This led the workgroup to determine that there is a recruitment and retention problem with Hispanics.</p> <p>It was determined that:</p> <ul style="list-style-type: none"> · DOC has an opportunity to maintain and grow its applicant rates for Hispanics, thus DOC will continue to participate in targeted recruitment events and focus on recruitment through communities and affinity organizations that serve high populations of Hispanics. · There is a lack of accountability measures for recruiting events, thus the DOC will develop an evaluation and tracking tool to be used by recruitment officers Commerce-wide to better determine measurable outcomes. <p>Some DOC bureaus have done a great job with their recruitment and retention strategies. For example, the Census Bureau's employment of Hispanic females is at 94.8% parity with their corresponding CLF. The workgroup will thus determine the feasibility of applying Census' recruitment and retention methods Department-wide, in an attempt to replicate its success.</p>	
<p>STATEMENT OF IDENTIFIED BARRIER:</p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>		<p>Limited barrier analysis and data sufficient to identify root cause for lower than expected hire and retention rates among Hispanics.</p>	
<p>OBJECTIVE:</p> <p>State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p>		<p>Strategic, collaborative targeted recruitment activities that are measurable.</p> <p>Continue barrier analysis efforts to identify underlying root causes for low representation.</p>	
RESPONSIBLE OFFICIAL:		OHRM and OCR Directors	
DATE OBJECTIVE INITIATED:		01/25/2016	
TARGET DATE FOR COMPLETION OF OBJECTIVE:		09/30/2017	
EEOC FORM 715-01 PART I-1		EEO Plan To Eliminate Identified Barrier	
PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:		TARGET DATE (Must be specific)	

<p>In FY16, we recognized the need to hire additional staff with competencies to conduct a thorough and scientific barrier analysis. Therefore, in FY17, we are hiring a data/management analyst to assist with our analysis efforts; we expect the person to onboard Feb 2017. The OCR is also exploring the possibilities of contracting out barrier analysis with a company that has the expertise to conduct a scientific barrier analysis.</p>	<p>09/30/2017</p>
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REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE

In FY 2016, the principal MD-715 preparers for the DOC and the largest DOC bureaus received direct access to workforce data and applicant flow. This allows them complete access to real-time data that will enable continuous analysis of workforce trends.

The DOC refocused its efforts to target the less than expected representation of Hispanics by centering its efforts on the leadership pipeline, Hispanic representation in the most populous Mission Critical Occupations, and retention strategies.

<p>EEOC FORM 715-01 PART I-2</p>	<p align="center">U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT</p>
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<p>Department of Commerce</p>	<p align="center">For period covering October 1, 2015 to September 30, 2016</p>
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<p>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>Females of all races have less than expected participation in the GS13-15 pipeline as well as Native Hawaiian/Pacific Islander Males (GS13, GS14); and Asian Males (GS13, GS14). At the SES Level, the most obvious race/national origin groups not at expected participation levels were Asian Males, Asian Females, and Black Females.</p>
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<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>To evaluate whether women and some racial minorities are encountering a blocked pipeline for senior executive level positions, the DOC's Leadership Pipeline Workgroup looked into the current workforce distribution of GS 13 - SES career employees. The workgroup determined that females of all races have less than expected representation in the GS13-15 pipeline, particularly Hispanic females and Black females, whose representation in the leadership pipeline decreases as the grade levels increase.</p> <p>Other EEO groups that had less than expected participation were Hawaiian/Pacific Islander Males (GS13, GS14) and Asian Males (GS13, GS14). At the SES Level the most obvious race/national origin groups not at parity were Asian Males, Asian Females, and Black Females.</p> <p>To analyze possible root causes for the lower than expected participation of the above groups, the workgroup utilized the EEOC's Root Cause Analysis Tool and its Recruitment, Hiring & Other Practices Decision Tree and the Hiring Decision Tree. While this yielded the above determination, in FY 17, the group will obtain more information and data to continue its analyses efforts.</p> <p>For the SES participation gaps, the workgroup reviewed data of permanent SES positions by bureau and major occupations and determined the top two occupations that make up SES positions are: 0301 "General Administrative," which makes up 15% of all career SES employees and "1220 Patent Examiner," which makes up 12% of all career SES employees.</p>
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STATEMENT OF IDENTIFIED BARRIER:	
Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	An accurate barrier has not been identified to date, but DOC will work on determining this by completing the objectives stated below.
OBJECTIVE:	To complete a more thorough barrier analysis regarding the lack of expected workforce participation in the Leadership Pipeline.
State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.	
RESPONSIBLE OFFICIAL:	OHRM and OCR Directors
DATE OBJECTIVE INITIATED:	01/01/2017
TARGET DATE FOR COMPLETION OF OBJECTIVE:	09/30/2017
EEOC FORM 715-01 PART I-2	EEO Plan To Eliminate Identified Barrier
PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:	TARGET DATE (Must be specific)
In FY 2017, DOC will review the following: (1) vacancies broken down by series/grade/bureau/organization, (2) hiring data broken down by series/grade/bureau, (3) selection data by series/grade/bureau, and (4) Selection Authorities used for permanent hires.	09/30/2017
Hire a data analyst who will oversee efforts conducted by the Barrier Analysis Working Group.	02/28/2017
Convene the Barrier Analysis Working Group to look at relevant data to complete the planned activities.	09/30/2017
To analyze why some EEO groups are not receiving promotions at a rate DOC would expect, DOC will (1) determine what percentage of GS13-15 positions are being filled internally, (2) determine in which occupational series these promotions are being awarded, and (3) determine the distribution of EEO groups in those occupational series and grades eligible for promotions.	09/30/2017
REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE	
In FY16, we recognized the need to hire additional staff with competencies to conduct a thorough and scientific barrier analysis. Therefore, in FY17, we are hiring a data/management analyst to assist with our analysis efforts; we expect the person to onboard Feb 2017. The OCR is also exploring the possibilities of contracting out barrier analysis with a company that has the expertise to conduct a scientific barrier analysis.	

EEOC FORM 715-01 PART I-3		U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT	
Department of Commerce		For period covering October 1, 2015 to September 30, 2016	
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?		Individuals with Targeted Disabilities (IWTDs) have less than expected participation rate. The current participation rate is 0.9%, which is over 50% less than the 2% goal.	
BARRIER ANALYSIS: Provide a description of the steps taken and data analyzed to determine cause of the condition.		DOC reviewed hiring and separation data to identify potential triggers and determined that, in some Bureaus, the rate of separation for employees with targeted disabilities is greater than the rate of separation for employees without disabilities.	
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		Limited barrier analysis was conducted in FY 2016 to identify triggers and potential root cause for the less than expected participation rate. Further analysis will be conducted in FY 2017.	
OBJECTIVE: State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.		All hiring managers will receive mandatory training on Reasonable Accommodations and Hiring, Recruitment and Retention of IWTD. Each Bureau will establish an annual Affirmative Action plan for increasing the participation of IWTDs.	
RESPONSIBLE OFFICIAL:		OCR Director, OHRM Director, and Disability Program Manager	
DATE OBJECTIVE INITIATED:		01/11/2017	
TARGET DATE FOR COMPLETION OF OBJECTIVE:		09/30/2017	
EEOC FORM 715-01 PART I-3		EEO Plan To Eliminate Identified Barrier	
PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:		TARGET DATE (Must be specific)	
See Part J.		09/30/2017	
REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE			
See Part J.			

EEOC FORM 715-01 PART J	U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals With Targeted
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Department of Commerce	For period covering October 1, 2015 to September 30, 2016
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PART I Department or Agency Information	1. Agency	1. Department of Commerce
	1.a. 2nd Level Component	1. a.
	1.b. 3rd Level or lower	1. b.

PART II Employment Trend and Special Recruitment for Individuals With Targeted Disabilities	Enter Actual Number at the beginning of FY.		... end of FY.		Net Change	
		Number	%	Number	%	Number	Rate of Change
	Total Work Force	47453	100%	46122	100%	-1331	-2.8 %
	Reportable Disability	3772	7.9 %	3886	8.4 %	114	3.0 %
	Targeted Disability*	365	0.8 %	396	0.9 %	31	8.5 %
	* If the rate of change for persons with targeted disabilities is not equal to or greater than the rate of change for the total workforce, a barrier analysis should be conducted (see below).						
	1. Total Number of Applications Received From Persons With Targeted Disabilities during the reporting period.					4467	
	2. Total Number of Selections of Individuals with Targeted Disabilities during the reporting period.					80	

PART III Participation Rates In Agency Employment Programs

Other Employment/Personnel Programs	TOTAL	Reportable Disability		Targeted Disability		Not Identified		No Disability	
		#	%	#	%	#	%	#	%
Competitive Promotions	0	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %
Non-Competitive Promotions	7305	698	9.6 %	75	1.0 %	306	4.2 %	6301	86.3 %
Employee Career Development Programs	0	0	0.0 %	0	0.0 %	0	0.0 %	0	0.0 %
a. Grades 5 - 12	10557	1019	9.7 %	105	1.0 %	406	3.8 %	9132	86.5 %
b. Grades 13 - 14	12807	662	5.2 %	86	0.7 %	365	2.9 %	11780	92.0 %
c. Grade 15/SES	2886	157	5.4 %	9	0.3 %	54	1.9 %	2675	92.7 %
Employee Recognition and Awards	70847	1768	2.5 %	480	0.7 %	2126	3.0 %	66953	94.5 %
a. Time-Off Awards (Total hrs awarded)	56088	4872	8.7 %	330	0.6 %	1161	2.1 %	50055	89.2 %
b. Cash Awards (total \$\$\$ awarded)	101029256	4870668	4.8 %	535380	0.5 %	2676887	2.6 %	93481701	92.5 %
c. Quality-Step Increase	260	10	3.8 %	1	0.4 %	10	3.8 %	240	92.3 %

EOEC FORM 715-01		Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals With Targeted Disabilities	
Department of Commerce		For period covering October 1, 2015 to September 30, 2016	
Part IV Identification and Elimination of Barriers	Agencies with 1,000 or more permanent employees MUST conduct a barrier analysis to address any barriers to increasing employment opportunities for employees and applicants with targeted disabilities using FORM 715-01 PART I. Agencies should review their recruitment, hiring, career development, promotion, and retention of individuals with targeted disabilities in order to determine whether there are any barriers.		
Part V Goals for Targeted Disabilities	<p>Agencies with 1,000 or more permanent employees are to use the space provided below to describe the strategies and activities that will be undertaken during the coming fiscal year to maintain a special recruitment program for individuals with targeted disabilities and to establish specific goals for the employment and advancement of such individuals. For these purposes, targeted disabilities may be considered as a group. Agency goals should be set and accomplished in such a manner as will effect measurable progress from the preceding fiscal year. Agencies are encouraged to set a goal for the hiring of individuals with targeted disabilities that is at least as high as the anticipated losses from this group during the next reporting period, with the objective of avoiding a decrease in the total participation rate of employees with disabilities.</p> <p>Goals, objectives and strategies described below should focus on internal as well as external sources of candidates and include discussions of activities undertaken to identify individuals with targeted disabilities who can be (1) hired; (2) placed in such a way as to improve possibilities for career development; and (3) advanced to a position at a higher level or with greater potential than the position currently occupied.</p>		
Established a Numerical Goal?	Yes		
Goal	Individuals with targeted disabilities will comprise 2% of the Departments permanent workforce.		
Strategies	<ol style="list-style-type: none"> 1. Conduct a thorough barrier analysis to determine the root cause for IWTDs high separation rates to include. <ol style="list-style-type: none"> a. Review of employee exit surveys to determine causes for high separation rate. b. Conduct focus groups with employees related to disability recruitment, hiring, and career growth experiences to help identify potential barriers. c. Examine and evaluate career advancement opportunities for IWTD in mission critical occupations. 2. Increase use of Schedule A hiring authority to hire or promote individuals with disabilities or targeted disabilities. 3. Conduct disability-related training and education campaigns for all employees in the agency. Provide mandatory training on disability-related issues to all management officials, including facts to overcome stereotypes about people with targeted disabilities, detailed instructions on special hiring authorities and reasonable accommodations procedures. 4. Establish a Disability Program Committee comprised of the Disability Program Manager, Selective Placement Coordinator, selected managers, and members of affinity groups to address the hiring, advancement, and retention of individuals with targeted disabilities. 5. Issue quarterly report to management showing the agencies progress in the hiring, advancement, and retention of individuals with targeted disabilities. 6. Provide all vacancy announcements to disability organizations (including student internship organizations) and state vocational rehabilitation services. 		
Objectives	<p>Each Bureau will implement recruitment, hiring and retention goals for individuals with targeted disabilities to be achieved over the next five years until the 2% goal is met or exceeded.</p> <p>* Please note: 4,467 applications received from IwTD, was not verified by the Department. It is the number of applications received from individuals who self-identified as having targeted disabilities.</p>		

<p>Accomplishments</p>	<p>1.The Department provide training to managers, supervisors, and hiring officials that highlighted unconscious bias to help decrease any behaviors or actions that prevent full consideration of diverse applicants including those with disabilities. The training sessions were: (1) Cross Cultural Diversity, (2) Multigenerational Work Teams, and (3) Emotional Intelligence. A total of 192 employees from across the Department attended the various sessions. Twenty-three percent (23%) of the workshop participants were in supervisory positions.</p> <p>-The Department trained hiring officials on reasonable accomodations, employment initiatives, hiring authorities, and procedures for hiring veterans and individuals with disabilities.</p> <p>-NIST held trainings on veteran and disability employment-related topics, and held an HR4U Wellness Fair to educate and encourage the NIST community to adopt a healthier lifestyle. NISTs Career Resource Center provided group classes and one-on-one career counseling with an emphasis on assisting individuals with disabilities and disabled veterans. NIST Civil Rights and Diversity Office provided training to new managers on EEO complaints, harassment and disability law.</p> <p>-NOAA developed tips for Schedule A hiring to assist applicants with understanding hiring procedures for applicants with disabilities and presented 52 face-to-face training sessions for hiring managers.</p> <p>2.USPTO held a Veterans Internship Program (VIP) Symposium that brought together current and prospective veteran/patent examiner student trainees and their managers to discuss best practices and lessons learned during the lifecycle of the hiring program. The PTO Disability Working Group collaborated with the Office of Human Resources to update the Agencys career website to include a page specifically about hiring individuals with disabilities. Additionally, when the Agency attended job fairs, information about the Schedule A hiring authority and the Agencys relevant point of contact was provided to attendees. In FY16, the Agency hired fifteen (15) individuals with a targeted disability pursuant to the Schedule A hiring authority.</p> <p>3.The Department hired a Senior Disability Program Manager.</p> <p>4. While in FY 2016, utilizing various hiring and recruitment initiatives, the Department increased the overall participation of employees with targeted disabilities from 365 to 396 (8.5% increase), Commerce still has work to do, particularly in the area of retention.</p>
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