

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

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

Section I: Efforts to Reach Regulatory Goals

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

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

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

The percentage of PWD in the GS-11 to SES cluster was 8.16% in FY 2022 which falls below the goal of 12%.

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

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

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

Grade Level Cluster(GS or Alternate Pay Plan)	Total		Reportable Disability		Targeted Disability	
	#	%	#	%	#	%
Numarical Goal	--		12%		2%	
Grades GS-1 to GS-10	73		17	23.29	3	4.11
Grades GS-11 to SES	2857		233	8.16	58	2.03

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

NIST follows the DoC Disability Operational Plan. The numerical goals are posted on the Equal Employment Opportunity and Accessibility Office internal and external website site. EEOAO also communicated numerical goals during briefings with management.

Section II: Model Disability Program

Pursuant to 29 C.F.R. § 1614.203(d)(1), agencies must ensure sufficient staff, training and resources to recruit and hire persons with disabilities and persons with targeted disabilities, administer the reasonable accommodation program and special emphasis program,

and oversee any other disability hiring and advancement program the agency has in place.

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

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

Answer No

In FY 2022, a vacancy was posted but no selection was made. EEOAO also submitted a budget request for FY 2023 for an EEO Specialist position to assist with barrier analysis.

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

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Architectural Barriers Act Compliance	1	0	0	Robert "Skip" Vaughn Chief Facilities Management Officer robert.vaughn@nist.gov
Answering questions from the public about hiring authorities that take disability into account	13	0	0	Teresa Whiteside Division Chief Operations and Strategic Programs Division Teresa.whiteside@nist.gov
Processing applications from PWD and PWTB	0	0	1	Susan Engle Selective Placement Program Coordinator susan.engle@nist.gov
Special Emphasis Program for PWD and PWTB	0	0	1	Aimee Generoso Nguyen EEO Specialist aimee.generoso-nguyen@nist.gov
Processing reasonable accommodation requests from applicants and employees	1	0	0	morgan.frycklund@nist.gov
Section 508 Compliance	0	0	1	Kathy Lynch Section 508 Coordinator kathy.lynch@nist.gov

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

Answer Yes

In FY 2022, the webinars by EEOC, Job Accommodation Network (JAN), Access Board, Employer Assistance and Resource Network (EARN) and various organizations provided training.

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

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

Answer No

EEOAO submitted a budget request for FY 2023 for an EEO Specialist position to assist with barrier analysis.

Section III: Program Deficiencies In The Disability Program

Brief Description of Program Deficiency	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]		
Objective	OHRM and EEOAO met to discuss the Reasonable Accommodation Program. The Reasonable Accommodation Coordinator will stay in OHRM. In FY 2023, a vacancy was posted for a Reasonable Accommodation Coordinator to assist with reasonable accommodation requests.		
Target Date	Sep 30, 2023		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	

Brief Description of Program Deficiency	B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women’s Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]		
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Brief Description of Program Deficiency	C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC’s regulations and guidance? [see 29 CFR §1614.203(d)(3)]		
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Section IV: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

NIST advertises all vacancies on USAJOBS. NIST utilizes a variety of methods to recruit and employ veterans and individuals with disabilities: Direct-Hire, Delegated Examining, Agency Based, Merit Promotion, and Non-Competitive procedures. NIST also utilizes special appointment authorities such as the Veterans Employment Opportunities Act (VEOA), the Veterans Recruitment Appointment (VRA) Authority, and other appointment authorities (e.g. disabled veterans with 30% or greater disability) as appropriate. NIST’s Selective Placement Coordinator maintained a catalogue of applicants eligible for non- competitive hiring authorities such as the Veterans Recruitment Authority, 30% or more disabled Veteran hiring authority and the Schedule A hiring authority for individuals with disabilities. The catalogue is accessible by members of the HR Operations Team so the resumes can be shared with hiring officials as positions become available. The NIST Office of Human Resources Management (OHRM) continuously promotes the use of resume databases such as www.Vetsuccess.Gov to identify veteran candidates to fill vacant positions through the various veteran non-competitive hiring authorities. VetSuccess is an employment resource for Veterans seeking employment and employers who want to hire Veterans. The site allows employers to view resumes of Veterans who are eligible for non-competitive hiring authorities. NIST focused on continued recruitment and outreach efforts by utilizing social media outlets to improve the diversity and quality of applicants. NIST utilizes LinkedIn.com to advertise vacant position and search for potential candidates. LinkedIn is a business-oriented social networking service. The site allows users to create profiles and make connections with other users. LinkedIn has several Veteran groups within the network that NIST can alert as positions are advertised. NIST provides detailed information on special hiring authorities on the Careers at NIST webpage (<https://www.nist.gov/>)

careers/special-hiring- authorities-disabled-and-veterans). This webpage a) promotes and advocates the recruitment, hiring, and advancement of highly qualified veterans b) educates veterans about the types of veterans' preference and special hiring authorities and c) markets current employment opportunities at NIST. NIST's Operations and Strategic Program Division (OSPD) continually educated supervisors and managers on veterans' preference and noncompetitive appointments for disabled veterans during one-on-one recruitment training sessions and management training. Additionally, Department of Commerce (DoC) sends notification to staff regarding Workforce Recruitment Program where hiring officials can access resumes of potential summer interns.

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

The agency uses noncompetitive hiring authorities to recruit and hire PWD and PWTD. NIST uses the Veterans Recruitment Authority (VRA), 30% or More Disabled Veteran & Schedule A Appointing Authority. The Veteran Recruitment Authority (VRA) authority allows agencies to appoint eligible veterans without competition if the veteran has received a campaign badge for service during a war or in a campaign or expedition; or is a disabled veteran; or has received an Armed Forces Service Medal for participation in a military operation; or is a recently separated veteran (within the last 3 years) and separated under honorable conditions. The 30% or More Disabled Veteran authority allows any veteran with a 30% or more service- connected disability to be noncompetitively appointed. You are eligible if you retired from active military service with a service-connected disability rating of 30% or more; or you have a rating by the Department of Veterans Affairs showing a compensable service-connected disability of 30% or more. The Schedule A authority for people with disabilities is an excepted authority that agencies can use to appoint eligible individuals who have a severe physical, psychological, or intellectual disability. Proof of disability documentation is required.

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

(1) A disabled individual eligible for a Schedule A appointment is required to submit documentation issued from a licensed medical professional; a licensed vocational rehabilitation specialist; or any Federal agency, State agency, or an agency of the District of Columbia or a US territory that issues or provides disability benefits. The documentation must be signed, on official letterhead, and certify that the applicant is an individual with a severe physical, intellectual, or psychological disability that qualifies him/her for consideration under 5 CFR 213.3102 (u), Schedule A hiring authority, appointment for Persons with Disabilities. (2) NIST's automated recruitment system, Monster Government Solutions, stores the individual's application for review by the hiring officials. An explanation of how and when the individual may be appointed is provided in instructions that are sent regarding the certificate.

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

Answer Yes

"Veteran Employment Training" required annual online training for managers "A Roadmap to Success: Hiring, Retaining, and Including People with Disabilities" required annual online training for managers. NIST Selective Placement Program Coordinator also presented "Non-Competitive Hiring Authorities" In FY 2021, Disability Program Manager worked with Selective Placement Program Coordinator to record training video of Non-Competitive Hiring Authorities. The video will be posted in FY 2022 on the internal website.

B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS

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

The Selective Placement Program Coordinator is listed on OPM's directory so applicants can contact NIST directly. The Disability

Program Manager and Selective Placement Coordinator contact information are also displayed on the NIST external website. NIST's Strategic Recruitment Program Manager position, was hired in FY 2022 who will serve as the lead on maintaining contacts with employment organizations. A strategic recruitment plan was developed and currently accepting feedback from hiring managers.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

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

New hires for PWD are 1.77% and PWTD is 5.70% which are below the 2% and 12% benchmark.

New Hires	Total (#)	Reportable Disability		Targeted Disability	
		Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants					
% of Qualified Applicants					
% of New Hires					

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

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

EEOAO and OHRM are working together to provide data for FY 2023.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability	Targetable Disability
		New Hires (%)	New Hires (%)
Numerical Goal	--	12%	2%

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

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

EEOAO and OHRM are working together to provide data for FY 2022.

4.

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

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

EEOAO and OHRM are working together to provide data for FY 2023.

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

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

A. ADVANCEMENT PROGRAM PLAN

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

Office of Human Resources Management – Leadership and Employee Development (LED) currently offers several opportunities for employees to gain management and leadership skills. Such training and developmental programs support the efforts of employees in accomplishing their career objectives. NIST also encourages its employees to participate in Department of Commerce opportunities as well as Federal Government-wide career development programs.

B. CAREER DEVELOPMENT OPPORTUNITES

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

NIST offers three leadership programs targeting employees at various stages in their managerial careers. The three programs are announced to all NIST employees. The Foundations of Leadership Program (FLP) arms potential leaders with the competencies and skills needed to navigate the leadership path at NIST. The New Leader Program (NLP) is designed to provide new leaders with the necessary knowledge and skills to be successful in leadership positions at NIST. The program is primarily intended for individuals who have served in a leadership positions for two years or less and who have had little leadership training. The Project Management and Leadership Program (PMLP) develops project management skills tailored to meet the specific needs of NIST Project Managers. Mentoring and coaching sessions are available to participants of the programs. Furthermore, (LED) started a new initiative called, “Leadership for All.” NIST believes that every employee can be a leader wherever they are in the organization. The agency also believes in empowering our employees with skills and knowledge in support of the NIST mission. Inspired by feedback from the NIST community, Leadership for All (L4A) makes content from our popular leadership development programs available to the entire staff. Greater access to this content encourages a broad shared knowledge of leadership skills and concepts and fosters the growth of a NIST learning community. L4A helps to ensure that all NIST employees are fluent in the NIST 11 Core Leadership Competencies, which in turn helps to promote an environment of inclusivity and shared perspective. NIST also has a Mentoring Program for all NIST federal employees. This program provides an opportunity for NIST staff to find their niche in the organization, build strategic relationships, and gain a broader perspective of NIST. Mentoring is built on the sharing of ideas and experience and is widely recognized as playing a vital role in helping employees enhance their career development.

2. In the table below, please provide the data for career development opportunities that require competition and/or supervisory recommendation/ approval to participate.

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Other Career Development Programs		227	0	9	0	1
Mentoring Programs		115		9		2
Training Programs						
Internship Programs						
Fellowship Programs						
Coaching Programs						
Detail Programs						

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

a. Applicants (PWD) Answer N/A

b. Selections (PWD) Answer N/A

Applicants for other career development programs are not being tracked.

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

a. Applicants (PWTD) Answer N/A

b. Selections (PWTD) Answer N/A

Applicants for other career development programs are not being tracked.

C. AWARDS

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

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

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

Triggers were identified for PWD \$500 and under; PWD \$501 to \$1500; PWTD and PWD for greater than \$1500

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 1 - 10 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 1 - 10 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 1 - 10 Hours: Average Hours	0	0.00	0.00	0.00	0.00

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 11 - 20 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 11 - 20 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 11 - 20 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Average Hours	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$501 - \$999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$501 - \$999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$501 - \$999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$1000 - \$1999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$1000 - \$1999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$1000 - \$1999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$2000 - \$2999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$2000 - \$2999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$2000 - \$2999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$3000 - \$3999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$3000 - \$3999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$3000 - \$3999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$4000 - \$4999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$4000 - \$4999: Total Amount	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$4000 - \$4999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$5000 or more: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$5000 or more: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$5000 or more: Average Amount	0	0.00	0.00	0.00	0.00

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

- a. Pay Increases (PWD) Answer Yes
- b. Pay Increases (PWTD) Answer Yes

Triggers were identified for PWTD and PWD for \$501 to \$1500; PWTD and PWD for greater than \$1500

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Total Performance Based Pay Increases Awarded	0	0.00	0.00	0.00	0.00

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

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

D. PROMOTIONS

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

- a. SES
 - i. Qualified Internal Applicants (PWD) Answer N/A
 - ii. Internal Selections (PWD) Answer N/A
- b. Grade GS-15
 - i. Qualified Internal Applicants (PWD) Answer N/A
 - ii. Internal Selections (PWD) Answer N/A
- c. Grade GS-14
 - i. Qualified Internal Applicants (PWD) Answer N/A
 - ii. Internal Selections (PWD) Answer N/A

d. Grade GS-13

- | | | |
|--|--------|-----|
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD) | Answer | N/A |

EEOAO and OHRM are working together to provide data for FY 2023.

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

a. SES

- | | | |
|---|--------|-----|
| i. Qualified Internal Applicants (PWTB) | Answer | N/A |
| ii. Internal Selections (PWTB) | Answer | N/A |

b. Grade GS-15

- | | | |
|---|--------|-----|
| i. Qualified Internal Applicants (PWTB) | Answer | N/A |
| ii. Internal Selections (PWTB) | Answer | N/A |

c. Grade GS-14

- | | | |
|---|--------|-----|
| i. Qualified Internal Applicants (PWTB) | Answer | N/A |
| ii. Internal Selections (PWTB) | Answer | N/A |

d. Grade GS-13

- | | | |
|---|--------|-----|
| i. Qualified Internal Applicants (PWTB) | Answer | N/A |
| ii. Internal Selections (PWTB) | Answer | N/A |

EEOAO and OHRM are working together to provide data for FY 2022.

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

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

EEOAO and OHRM are working together to provide data for FY 2023.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTB among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe

the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

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

EEOAO and OHRM are working together to provide data for FY 2023.

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

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

EEOAO and OHRM are working together to provide data for FY 2023.

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

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

ii. Internal Selections (PWTD)

Answer N/A

EEOAO and OHRM are working together to provide data for FY 2023.

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

a. New Hires for Executives (PWD)

Answer N/A

b. New Hires for Managers (PWD)

Answer N/A

c. New Hires for Supervisors (PWD)

Answer N/A

EEOAO and OHRM are working together to provide data for FY 2023.

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

a. New Hires for Executives (PWTD)

Answer N/A

b. New Hires for Managers (PWTD)

Answer N/A

c. New Hires for Supervisors (PWTD)

Answer N/A

EEOAO and OHRM are working together to provide data for FY 2023.

Section VI: Plan to Improve Retention of Persons with Disabilities

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

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer Yes

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

a. Voluntary Separations (PWD)

Answer Yes

b. Involuntary Separations (PWD)

Answer Yes

Using the inclusion rate the benchmark, the percentage of voluntary separations for PWD exceeded those without disabilities; and the percentage of involuntary separations exceeded those without disabilities

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	0	0.00	0.00
Permanent Workforce: Resignation	0	0.00	0.00
Permanent Workforce: Retirement	0	0.00	0.00
Permanent Workforce: Other Separations	0	0.00	0.00
Permanent Workforce: Total Separations	0	0.00	0.00

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

a. Voluntary Separations (PWTD) Answer Yes

b. Involuntary Separations (PWTD) Answer Yes

Using the inclusion rate the benchmark, the percentage of voluntary separations for PWTD exceeded those without disabilities; and the percentage of involuntary separations exceeded those without disabilities

Seperations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	0	0.00	0.00
Permanent Workforce: Resignation	0	0.00	0.00
Permanent Workforce: Retirement	0	0.00	0.00
Permanent Workforce: Other Separations	0	0.00	0.00
Permanent Workforce: Total Separations	0	0.00	0.00

4. If a trigger exists involving the separation rate of PWD and/or PWTD, please explain why they left the agency using exit interview results and other data sources.

Most of the separations were transfers and retirements.

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

<https://www.nist.gov/director/equal-employment-opportunity-and-accessibility-office/eo-complaints>

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

<https://www.nist.gov/director/equal-employment-opportunity-and-accessibility-office/eo-complaints>

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

NIST Equal Employment Opportunity and Accessibility Office are included in meetings for facilities and technology. Office of Information System Management established a "Section 508" working group to ensure electronic/technology accessibility for staff. The group continues to address technology accessibility issues at NIST.

C. REASONABLE ACCOMMODATION PROGRAM

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

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

NIST processed accommodation request in a timely manner. 94% of cases were processed within the time frames (20 business days) set forth in the reasonable accommodation procedures (DAO 215-10). The RAC received 220 accommodation request. NIST processed 174 sign language and captioning requests.

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

The Reasonable Accommodation Coordinator (RAC) offers reasonable accommodation training to employees and supervisors. The RAC and DPM also posted training videos on the internal site for staff to access. New employees receive training on reasonable accommodation during orientation from Equal Employment Opportunity and Accessibility Office. New supervisors are required to attend training that includes reasonable accommodation. The RAC is required to submit quarterly report to Department of Commerce (DoC) Disability Program Manager to ensure that we are adhering to timelines and procedures as outlined in DAO 215-10. NIST also participates in quarterly RAC meetings with DoC to discuss challenges and best practices.

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

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

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

NIST adheres to the PAS procedure set forth by DoC. We are unable to determine the effectiveness of the procedure since NIST has not received a request for PAS.

Section VII: EEO Complaint and Findings Data

A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer No

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

Answer No

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

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer No

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

Answer No

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

Section VIII: Identification and Removal of Barriers

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

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

Answer Yes

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

Answer Yes

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

Source of the Trigger:	Workforce Data (if so identify the table)				
Specific Workforce Data Table:	Workforce Data Table - B1				
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?	NIST does not have dedicated staff and funding for strategic recruitment for individuals with disabilities				
STATEMENT OF BARRIER GROUPS:	<i>Barrier Group</i>				
	People with Disabilities People with Targeted Disabilities				
Barrier Analysis Process Completed?:	Y				
Barrier(s) Identified?:	Y				
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	Barrier Name		Description of Policy, Procedure, or Practice		
	Recruitment for Individuals with Disabilities		NIST does not participate in targeted recruitment for individuals with disabilities		
Objective(s) and Dates for EEO Plan					
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
10/01/2019	09/30/2023	Yes			Review updated Operational Plan by DoC for Recruiting, Hiring and Retaining People with Disabilities with Strategic Recruitment Program Manager which is scheduled to be filled in FY 2022.
Responsible Official(s)					
Title		Name		Standards Address The Plan?	
Acting Human Resources Director		Essex Brown		No	

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2020	HR Director notified of deficiencies in the Technical Assistance Visit (TAC) letter by EEOC. EEOAO Director provided a copy of letter outlining various program deficiencies which included targeted recruitment for individuals with disabilities. In FY 2022, OHRM filled the Strategic Recruitment Program Manager position. In FY 2023, a recruitment council has been established to help implement the agency-wide recruitment strategy.	Yes	09/30/2022	
Report of Accomplishments				
Fiscal Year	Accomplishment			

Source of the Trigger:	Workforce Data (if so identify the table)				
Specific Workforce Data Table:	Workforce Data Table - B14				
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?	Separation rate of PWD and PWTD				
STATEMENT OF BARRIER GROUPS:	<i>Barrier Group</i>				
Barrier Analysis Process Completed?:	N				
Barrier(s) Identified?:	N				
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	Barrier Name		Description of Policy, Procedure, or Practice		
Objective(s) and Dates for EEO Plan					
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
Responsible Official(s)					
Title		Name		Standards Address The Plan?	
Planned Activities Toward Completion of Objective					
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date
10/01/2023	New EEO staff will review separation data and exit survey results.			Yes	
Report of Accomplishments					
Fiscal Year	Accomplishment				

Source of the Trigger:	Workforce Data (if so identify the table)					
Specific Workforce Data Table:	Workforce Data Table - B1					
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?	The percentage of PWD in the GS-11 to SES cluster falls below the goal of 12%.					
STATEMENT OF BARRIER GROUPS:	<i>Barrier Group</i>					
Barrier Analysis Process Completed?:	N					
Barrier(s) Identified?:	N					
STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	Barrier Name		Description of Policy, Procedure, or Practice			
Objective(s) and Dates for EEO Plan						
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description	
Responsible Official(s)						
Title		Name		Standards Address The Plan?		
Disability Program Manager		Aimee Generoso-Nguyen		Yes		
Planned Activities Toward Completion of Objective						
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date	Completion Date
03/30/2023	EEOAO will hire another staff to assist with barrier analysis. EEO Specialist will attend MD-715 and Barrier Analysis classes by EEOC for a refresher. EEOAO will work with Public Affairs Office for a broadcast message on updating SF-256 for current staff. DPM will work with OHRM on recruitment for individuals with disabilities. The EEOAO did not fill the vacant position in FY 2022. EEOAO requested budget for an EEO Specialist position in FY 2023.			No	03/30/2024	

Report of Accomplishments	
Fiscal Year	Accomplishment

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

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

N/A

6. If the planned activities did not correct the trigger(s) and/or barrier(s), please describe how the agency intends to improve the plan for the next fiscal year.

N/A