

Commodity Futures Trading Commission

For period covering October 1, 2017 to September 30, 2018

PART A Department or Agency Identifying Information	1. Agency	1. Commodity Futures Trading Commission
	1.a 2nd level reporting component	
	2. Address	2. 1155 21st Street, NW
	3. City, State, Zip Code	3. Washington, DC 20581
	4. Agency Code 5. FIPS code(s)	4. CT00 5. 11001

PART B Total Employment	1. Enter total number of permanent full-time and part-time employees	1. 669
	2. Enter total number of temporary employees	2. 18
	3. TOTAL EMPLOYMENT [add lines B 1 through 2]	4. 687

PART C Agency Official(s) Responsible For Oversight of EEO Program(s)	Title Type	Name	Title
	Head of Agency	Dr. Heath Tarbert	Chairman, Commodity Futures Trading Commission
	Principal EEO Director/Official	Sarah Summerville	Director, Office of Minority and Women Inclusion
	Affirmative Employment Program Manager	Sarah Pauly	Equal Employment Opportunity Specialist
	Complaint Processing Program Manager	Sarah Summerville	Director, Office of Minority and Women Inclusion
	Diversity & Inclusion Officer	Sarah Pauly	Equal Employment Opportunity Specialist
	Hispanic Program Manager (SEPM)	Derrick Wilson	Diversity and Inclusion Specialist
	Women's Program Manager (SEPM)	Derrick Wilson	Diversity and Inclusion Specialist
	Disability Program Manager (SEPM)	Derrick Wilson	Diversity and Inclusion Specialist
	Special Placement Program Coordinator (Individuals with Disabilities)	Karen Leydon	Chief Human Capital Officer
	Reasonable Accommodation Program Manager	Lauren Colón	Chief, Workforce Relations
	Anti-Harassment Program Manager	Lauren Colón	Chief, Workforce Relations
	ADR Program Manager	Karen Leydon	Chief Human Capital Officer
	ADR Program Manager	Sarah Summerville	Director, Office of Minority and Women Inclusion
	Compliance Manager	Sarah Summerville	Director, Office of Minority and Women Inclusion
	Principal MD-715 Preparer	Sarah Pauly	EEO Specialist
	Other EEO Staff	Derrick Wilson	Diversity and Inclusion Specialist

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

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EXECUTIVE SUMMARY: MISSION

Congress created the Commodity Futures Trading Commission (CFTC) in 1974 as an independent agency with the mandate to regulate commodity futures and option markets in the United States. The agency's mandate has been renewed and expanded several times since then, most recently by the Dodd-Frank Wall Street Reform and Consumer Protection Act, which includes regulating swaps and educating consumers about commodities fraud.

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

EEOC Management Directive 715 (MD-715) provides guidance on legally compliant Title VII and Rehabilitation Act programs and defines the essential elements (standards) for a Model Equal Employment Opportunity (EEO) program as: (1) demonstrated commitment from agency leadership; (2) integration of EEO into the agency's strategic mission; (3) management and program accountability; (4) proactive prevention of unlawful discrimination; (5) efficiency; and (6) responsiveness and legal compliance. The CFTC assessed FY 2018 EEO program compliance using the self-assessment checklist located in Part G of this report. This checklist includes 27 compliance indicators and 100 supporting performance measures to assess performance against the six essential elements of a Model EEO program.

Overall, the FY 2018 self-assessment found the CFTC EEO program *fully met* 100% of the compliance indicators. This demonstrates progress from the FY 2017 MD-715 report, which was found deficient, in part, due to the agency not providing updated reasonable accommodation and personal assistance services procedures to the EEOC. The Commission resolved this deficiency and submitted these procedures to the EEOC in FY 2019.

A succinct narrative of the Commission's EEO program by essential element follows.

Essential Element A – Demonstrated Commitment from Agency Leadership. CFTC Leadership demonstrated a commitment to equal employment opportunity and a discrimination-free workplace and supported an inclusive environment that provides to all employees, individually and collectively, the chance to work to their full potential. On September 27, 2018, Chairman Giancarlo issued effective and up-to-date EEO and Anti-Harassment policies and called "...every CFTC employee, at every level of seniority, to ensure we stand as an exemplar of equal employment opportunity and diversity in the financial services industry as well as the Federal Government." EEO policies and procedures are published on the CFTC public website at <https://www.cftc.gov/WebPolicy/EEONoFearAct/index.htm> and on the CFTC intranet.

To increase engagement and inclusion, CFTC Leadership promoted, and actively participated in, special emphasis programs that occur throughout the year. In addition to encouraging employees to participate in the programs, CFTC Leadership took an active role by introducing speakers and events and delivering remarks. The Commission regularly assesses and ensures EEO Principles are part of its culture and has taken an integrated approach to identify opportunities to improve the recruitment/outreach, hiring, development and retention of women, minorities and individuals with disabilities. The CFTC uses the Federal Employee Viewpoint Survey to monitor the perception of EEO principles within the workforce as part of the annual barrier analysis.

Essential Element B – Integration of EEO into Agency Mission. The CFTC's EEO programs are structured to maintain a workplace that is free from discrimination and support the agency's strategic mission. EEO is integrated into the agency mission and included in the FY 2014 – FY 2018 Strategic Plan (Attachment C3) under *Management Objective 5.1*. This objective commits the organization to consistently attract, hire, develop, and retain a high-performing, diverse and engaged workforce.

The reporting structure for the EEO program provides the principal EEO official with appropriate authority, budget, and staffing to effectively carry out a successful EEO program. The EEO Director controls all aspects of the EEO program, is involved in and consulted on management and personnel actions, and involves managers in the implementation of its EEO program.

Essential Element C – Management and Program Accountability. The CFTC Office of Minority and Women Inclusion (OMWI), advises managers/supervisors on EEO matters and effectively coordinates with the Human Resources Branch. In the event of a finding of discrimination, the CFTC will explore whether it should take a disciplinary action.

The Commission evaluates managers and supervisors on their efforts to ensure equal employment opportunity. Rating officials evaluate the performance of supervisors and managers based on EEO elements. The CFTC Performance Assessment (Form 442) used by all employees, includes a critical element covering professional behavior and interpersonal skills (Element 4). To obtain a satisfactory rating (level 3), the employee must "display respect, courtesy and tact during interactions with people within as well as outside CFTC; collaborate as a team player; and, demonstrate adherence to Equal Employment Opportunity (EEO) and diversity principles." In FY2018, OMWI submitted proposals to establish and recognize diversity standards in two awards: 1) the **Excellence in Management Award** recognizes managers and supervisors who recruit, hire and promote diversity: including within the summer internship program; 2) the **Staff Excellence Award** recognizes non-supervisory employees for their support of diversity.

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

The CFTC has established policies and procedures to prevent all forms of EEO discrimination. The CFTC's Human Resources Branch drafted compliant reasonable accommodation procedures and, during FY 2018, continued negotiations on the collective bargaining agreement (CBA). This CBA includes articles covering anti-harassment procedures and disability reasonable accommodation procedures. Personal assistance services procedures have been incorporated in the disability reasonable accommodation procedures. During these negotiations, which extended into FY 2019, the Human Resources Branch continued to process requests for reasonable accommodations following the requirements of the Final Rule amending 29 CFR Part 1614.203 titled Affirmative Action for Individuals With Disabilities in Federal Employment (applicable as of January 3, 2018) and the requirements of the ADA Amendment Act of 2008 (ADAAA), which included a broader definition of disability and narrowly tailoring any requests for medical information in accordance with GINA.

Negotiations on the CBA were completed on June 10th, 2019. The latest version of the reasonable accommodation and personal assistance services procedures were submitted in 2019 to the EEOC at raprocedures@eEOC.gov. The Commission will issue and post the final version of these procedures after receiving feedback on them from the EEOC.

Essential Element D – Proactive Prevention. The CFTC makes early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity. In FY 2018, a barrier analysis was conducted with a focus on people with disabilities, including those with targeted disabilities. Available data (including workforce data, complaint data and the federal employee viewpoint survey) was reviewed for triggers and an affirmative action plan was developed for people with disabilities. The CFTC's EEO complaint activity, measured as the number of complaints as a percentage of the total workforce, was 0.4% in FY 2018. This is below the government-wide measure of complaint activity of 0.5% and below the complaint activity reported for Small Level Agencies (0.7%) and Macro Level Agencies (1.2%). (Source: FY 2014 EEOC Federal Sector Report, [Table B-1 FY 2014 Total Work Force, Counselings, and Complaints](#))

Despite limited resources, with one-third of the positions in the Office of Minority and Women Inclusion (OMWI) unfilled due to a hiring freeze, OMWI delivered extensive training to proactively prevent actual and perceived discrimination at the Commission in FY 2018. This training included EEO Manager and Supervisor training, unconscious bias training, and other targeted training. For example, OMWI partnered with the Office of General Council and the Human Resources Branch to deliver Supervisory Training classes for executives and for all new and existing supervisors. This training, delivered to CFTC executives and supervisors and managers in July 2018, covered requirements regarding sexual harassment, non-sexual harassment, and retaliation. OMWI also delivered unconscious bias training in June 2018 for the Senior Staff. OMWI worked to proactively resolve conflict by offering resolving official training in April 2018 to better prepare resolving officials to apply conflict resolution techniques early in the dispute process. This effort resulted in six resolving officials being trained and improvements in the early resolution of issues in FY 2018. OMWI also provided training on anxiety and depression in the workplace in order to destigmatize mental health conditions and to affirmatively promote the employment of people with disabilities at the CFTC.

OMWI partnered with the Human Resources Branch to develop an agency-wide Internship Outreach/Recruitment plan to help the CFTC address under-representation within its workforce. OMWI continues to conduct outreach to Gallaudet University and hosted students and provided interpreters to hold discussions on career opportunities at the CFTC. OMWI participated in the Public Sector Recruitment Program, which allowed the CFTC to apply the recruitment plan to successfully on-board 43 unpaid interns in May 2019. OMWI provided training on OPM hiring authorities for internship programs, including: Pathways, Student Volunteer, Unpaid Intern, and Disability Employment.

To increase employee engagement and inclusion, the CFTC chartered and has continued to support five internal employee affinity groups: the Association of Asian Americans & Pacific Islanders, the Hispanic Employee Association, the Association of African Americans, CFTC Pride: Gay, Lesbian, Bisexual, Transgender & Allied Employees, and Women at Work. These affinity groups play an important role as we strive to become a model workplace. The CFTC continues to engage the CFTC Diversity Council, which includes supervisors and managers from the Divisions, Regional Offices, each of the employee affinity groups and the National Treasury Employee Union (NTEU), to inform barrier analysis and to provide feedback on the CFTC's diversity and inclusion programs.

Essential Element E – Efficiency. The CFTC Chairman continues to ensure that OMWI has sufficient staffing, funding and authority to support the EEO process and Diversity and Inclusion initiatives. The CFTC continues to maintain an efficient, fair, and impartial complaint resolution process and in FY 2018 processed 100% of complaint actions within the timeframes defined in EEOC regulations for processing EEO complaints. The agency has established a fair alternative dispute resolution

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

(ADR) program and applies this program to resolve issues at the earliest stage possible.

The CFTC's OMWI has an effective and accurate data collection process in place to evaluate its EEO program and to identify significant trends and best practices. One of these best practices is the use of high-quality contractor support for EEO investigations. The use of quality contractor support with extensive experience in EEO complaint processing is cost-beneficial and ensures that quality work product is consistently delivered. Using internal due dates more aggressive than MD-110 requirements ensures all case actions are processed timely.

Essential Element F – Responsiveness and Legal Compliance. The CFTC continues to comply with EEO statutes, regulations, policy, guidance, and other written instructions. Processes are in place to ensure timely and full compliance with EEOC Orders and settlement agreements and efforts and accomplishments are reported to the EEOC. The agency is in compliance with the law, including EEOC regulations, management directives, orders, and other written instructions.

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

Workforce Profile. The Commission employed 669 full-time permanent employees and 18 temporary employees. CFTC staff are comprised of 74 percent direct mission staff (attorneys, economists, auditors, risk and trade analysts, and other financial specialists) and 26 percent management and support staff to accomplish four strategic goals and a set of management objectives in the regulation of commodity futures, options, and swaps. The majority of Commission staff are analytical professionals with strong academic records, advanced degrees, and specialized skills in commodities and derivatives industries.

Major Occupations at CFTC include attorneys (0905 Series), auditors (0511 and 1801 Series), economists and data analysts (0110 and 1101 Series) and management professionals (0301 and 2210 Series). The remaining occupations at CFTC are filled by **14%** of the CFTC workforce across 21 occupational series: none of these 21 series individually represent more than 2% of the CFTC workforce.

- **Attorneys** across the CFTC's divisions and offices represent the Commission in administrative and civil proceedings, assist U.S. Attorneys in criminal proceedings related to CEA violations, assist other domestic and international criminal and regulatory authorities, develop regulations and policies governing clearinghouses, exchanges and intermediaries, and monitor compliance with applicable rules. The General Attorney Series (0905) represents **39%** of the permanent workforce.
- **Economists and Data Analysts (0110 Series and 1101 Series)** monitor trading activities and price relationships in derivatives markets to detect and deter price manipulation and other potential market disruptions. Economists also analyze the economic effect of various Commission and industry actions and events, evaluate policy issues, and advise the Commission accordingly. The Economist (0110) and General Business and Industry (1101) Series represent **20%** of the permanent workforce.
- **Auditors, Investigators, Risk Analysts, and Trade Practice Analysts** examine records and operations of derivatives exchanges, clearinghouses, and intermediaries for compliance with the provisions of the CEA and the Commission's regulations. The Auditing (0511) and General Inspection, Investigation and Compliance (1801) Series represent **12%** of the permanent workforce.
- **Management Professionals** support the CFTC mission by performing strategic planning, information technology, human resources, staffing, training, accounting, budgeting, procurement, contracting, and other management operations. The Miscellaneous Administration and Program (0301) and Information Technology Management (2210) Series represent **15%** of the permanent workforce.

The Commission is headquartered in Washington, DC, and has three regional offices: Central - Chicago, IL; Eastern - New York, NY; and Southwestern - Kansas City, MO.

Trigger Analysis Methodology. In conducting the trigger analysis, the Commission: (a) calculated the relevant civilian labor force (RCLF) using American Community Survey (ACS) data for major metropolitan areas provided by the U.S. General Services Administration RCLF dashboard; (b) considered the uncertainty associated with population size to identify statistically significant triggers; and (c) focused barrier analysis on meaningful differences. These statistically significant, meaningful differences were the focus of the FY 2018 barrier analysis:

- a. Calculate the Relevant Civilian Labor Force. The Commission followed MD-715 guidance (MD-715, Section 2, Paragraph 4) in conducting the self-assessment and compared participation rates with "corresponding participation rates in the relevant civilian labor force." Geographic areas of recruitment were limited to the major metropolitan areas of the Commission: Washington, DC; Chicago, IL; New York, NY; and Kansas City, MO. Occupational series were limited to CFTC's the major occupational series and followed the EEOC Federal Sector Occupation Cross-Classification Table (January 2013) mapping for Census Occupational Code to OPM Series Code with the exception of two series, which were coded to more accurately represent the work performed by these series at the Commission. The General Business and Industry (1101) series was mapped to Financial Analysts Census Code 0840 (SOC 13-2051) and the General Inspection, Investigation and Compliance (1801) series was mapped to Financial Examiners: Census Code 0900 (SOC 13-2061).

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

- b. Identify Statistically Significant Triggers. A challenge confronting small agencies, including the Commission, is that triggers may be observed that result from a small sample size but indicate nothing more than natural variations in the data. In an effort to account for the uncertainty in the population proportions from the data available, the Commission applied a Bayesian methodology to calculate confidence intervals for each proportion observed in the CFTC population. This approach allowed the Commission to make the distinction between 'statistically significant triggers:' defined as triggers where the relevant labor force proportion differs from the CFTC population proportion by two or more standard deviations, and 'triggers' that may not be significant due to the limited sample size.
- c. Focus on Meaningful Differences. Once the statistically significant differences are identified, the difference is assessed to determine if the difference is meaningful. As an example, the confidence interval for the population could include 66 employees (9.87%), when the expected population from the RCLF is 66.5 (9.94%). The difference is statistically significant (i.e., a less than 1 in 20 chance of occurring by chance) but the difference is not meaningful as it is not possible to hire a fractional FTE. A difference of at least two employees (from the upper bound estimate) is used as the criteria to focus barrier analysis on meaningful differences.

Trigger Identification and Barrier Analysis. A review of the CFTC's employment data indicates that the CFTC's workforce reflects the diversity of the RCLF in some respects. For example:

- 41.8% of the total CFTC workforce are female compared to 40.6% of the RCLF;
- 5.1% of the total CFTC workforce are Black males compared to 4.5% of the RCLF;
- 11.2% of the total CFTC workforce are Black females compared to 6.8% of the RCLF;
- 5.2% of the total CFTC workforce are Asian males compared to 4.8% of the RCLF;
- 4.7% of the total CFTC workforce are Asian females compared to 3.6% of the RCLF.

Nevertheless, analysis revealed three triggers:

Trigger 1 - Participation of Hispanic or Latino Male and Female employees. Hispanic or Latino Males participate at 1.5% in the permanent workforce as compared to a RCLF of 3.4% -- resulting in an estimated under-representation of at least five (5) Hispanic or Latino Male employees. Hispanic or Latina Females participate at 1.1% in the permanent workforce as compared to a RCLF of 3.1% -- resulting in an estimated under-representation of at least seven (7) Hispanic or Latina Female employees. CFTC continues to cast a wide net for hires with Hispanic or Latino applicants participating at a level expected based on the relevant civilian labor force. One barrier identified that likely contributed to this trigger was the hiring freeze in place throughout all of FY 2018.

Trigger 2 – Low Participation Rates of Females at Senior Level Positions. The participation rate for All Females drops from 55% at CT13 and below, to 39% at CT14-15, to 38% at CT16+. This drop exists for all Females (except White Females, which show an increase in participation as grade increases) and is most pronounced with Black Females: with a participation rate that drops from 32% at CT13 and below, to 6% at CT14-15, to 2% at CT16+. In FY 2017, the Commission identified a barrier of insufficient funding to implement a comprehensive formal development strategy. This continues to be a barrier in FY 2018.

Trigger 3 – Participation Below Goal for PWD and PWTD. In FY 2018, 3.9% of CFTC permanent employees identified as a PWD, and 0.5% identified as a PWTD (See Table B.1). The goals of 12% for PWD and 2% for PWTD were not met for grades CT10 and below as well as grades CT11 and above. Additionally, the elimination of positions below the CT-10 grade will make it impossible to demonstrate improvement in this segment. Based on ACS data, the major occupations at the CFTC have a much smaller population of individuals with disabilities. The FY 2011-FY 2015 ACS reports that 12.8 percent of the population as 'disabled' (using the ACS definition of disabled), however, limiting this to CFTC occupational categories resulted in only about 4 percent of the relevant labor force for CFTC major occupations identifying as 'disabled'. The barriers identified are: 1) the FY 2018 hiring freeze; 2) PWD and PWTD are underrepresented in the CFTC's applicant pipeline; and 3) societal attitudinal barriers may create a reluctance to self-disclose disability status.

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EXECUTIVE SUMMARY: ACCOMPLISHMENTS

The CFTC remains committed to a diverse workforce and preventing barriers to equal opportunity in the workplace and made positive progress in advancing the EEO program in FY 2018.

Revised the CFTC Affirmative Action Plan. In FY 2018, the Commission developed a viable affirmative action plan for the recruitment, hiring, advancement, and retention of persons with disabilities and adopted the regulatory goals for people with disabilities (PWD) and people with targeted disabilities (PWTD): 12 percent for PWD and 2 percent for PWTD within the CT-1 to CT-10 cluster and the CT-11 and higher grade cluster.

Ensured Compliance with the Architectural Barriers Act (ABA). This Act requires building and facilities that were constructed, altered or leased by, or on behalf of, the Federal Government for occupancy by federal agencies. The Commission, to support a model disability program, identified staff responsible for ensuring compliance with the Architectural Barriers Act and developed a plan to ensure the disability program is provided sufficient staff with sufficient training. The CFTC posted, on the public website, a notice explaining employees' and applicants' rights under the Architectural Barriers Act, including a description of how to file a complaint.

Established Procedures to Prevent all Forms of EEO Discrimination. CFTC's Human Resources Branch drafted compliant reasonable accommodation procedures and negotiated these updated procedures as part of a new collective bargaining agreement. During these negotiations, which continued into and were completed in FY 2019, the Human Resources Branch processed requests for reasonable accommodations following the requirements of the Final Rule amending 29 CFR Part 1614.203 titled Affirmative Action for Individuals With Disabilities in Federal Employment (applicable as of January 3, 2018) and the requirements of the ADA Amendments Act of 2008 (ADAAA), which included a broader definition of disability and narrowly tailoring any requests for medical information in accordance with GINA. In addition, the Human Resources Branch drafted procedures for Personal Assistance Services (PAS) and incorporated them into the draft reasonable accommodation procedures. These procedures were shared with the EEOC in FY 2019.

Confirmed the Capability to Capture Applicant Flow Data. In FY 2018, CFTC experienced budget constraints that severely limited training budgets, necessitated a freeze in hiring and resulted in the suspension of the monster.com support contract. Although this resulted in very limited applicant flow data to analyze for FY 2018, CFTC manually prepared the data to complete the applicant flow tables. This data was analyzed and the Commission confirmed that it is able, using monster.com, to collect and analyze applicant flow data once hiring resumes.

Assessed Factors Influencing Perception of Fairness. CFTC conducted a review of the FY 2018 Federal Employee Viewpoint Survey to assess factors influencing perception of fairness and is using this information to inform FY 2019 action planning.

EXECUTIVE SUMMARY: PLANNED ACTIVITIES

In FY 2019 and FY 2020, the CFTC plans to complete the following planned activities. However, the execution of these activities is subject to the availability of funds.

OMWI will closely monitor the update of the Reasonable Accommodation Policy and Procedures. These procedures will include procedures for personal assistance services (PAS), and will be posted on the CFTC public website once CBA negotiations complete.

CFTC will use additional resources to augment its hiring and recruitment efforts, particularly targeting the recruitment and hiring of individuals with disabilities to positions with the potential for career advancement. This includes strengthening connections with the Federal Exchange on Employment & Disability, an interagency group managed through the Department of Labor's Office of Disability Employment Policy (ODEP), and its contractor, the Employer Assistance and Resource Network on Disability Inclusion (EARN) as well as conducting outreach to colleges, universities, and organizations who work with disabled professionals. Potential organizations identified include the National Association of Attorneys with Disabilities, the Deaf and Hard of Hearing Bar Association, National Business and Disability Council, graduate degree programs in law and economics, American Job Centers, State Vocational Rehabilitation Agencies, the Veterans Vocational Rehabilitation and Employment Program, and Centers for Independent Living.

OMWI will partner with the Human Resources Branch to provide disability inclusion training as part of the training provided for the new collective bargaining agreement. After the disability inclusion training is complete, OMWI will resurvey the workforce's disability status.

The CFTC plans to continue the forward progress towards a model EEO program by hiring, once the hiring freeze is lifted, a full-time employee to manage affirmative employment planning and the diversity and inclusion program. This full-time resource will continue to conduct a robust barrier analysis for the agency and will provide guidance, advice, and support on programs and initiatives that support diversity and the development and management of civil rights programs.

CERTIFICATION of ESTABLISHMENT of CONTINUING EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

I, Sarah Summerville, Director, Office of Minority and Women Inclusion/0260/CT-15 am the

(Insert name above)

(Insert official title/series/grade above)

Principal EEO Director/Official for

Commodity Futures Trading Commission

(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.

Sarah Summerville

8/12/2019

Signature of Principal EEO Director/Official

Date

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

Walt P. Palm

8/12/2019

Signature of Agency Head or Agency Head Designee



Date

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Agency Self-Assessment Checklist



Essential Element: A Demonstrated Commitment From agency Leadership

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.1. The agency issues an effective, up-to-date EEO policy statement.				
	A.1.a. Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "Yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	X			09/27/2018 9/27/2018
	A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	X			The EEO policy statement also covers parental status, family medical history, political affiliation and any other non-merit based factors.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.2. The agency has communicated EEO policies and procedures to all employees.				
	A.2.a. Does the agency disseminate the following policies and procedures to all employees:				
	A.2.a.1. Anti-harassment policy? [see MD 715, II(A)]	X			
	A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]	X			
	A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:				
	A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	X			
	A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR §1614.102(b)(5)]	X			
	A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	X			http://cftcnet/Commission/About/Policies/CFTCPolicies/ and https://cftc.gov/WebPolicy/EEONoFearAct/index.htm
	A.2.c. Does the agency inform its employees about the following topics:				
	A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often and the means by which such training is delivered.	X			Biennially. Offered in person and through video conference.
	A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	X			Biennially
	A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	X			Training will be provided as part of the CBA training across the agency.
	A.2.c.4. Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.	X			Training will be provided as part of the CBA training across the agency.
	A.2.c.5. Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR §2635.101(b)] If "yes", please provide how often.	X			Training will be provided as part of the CBA training across the agency.

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Agency Self-Assessment Checklist



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.3. The agency assesses and ensures EEO principles are part of its culture.				
	A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If "yes", provide one or two examples in the comments section. .	X			See Executive Summary for examples.
	A.3.b. Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]	X			

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Agency Self-Assessment Checklist





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

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.1. The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.				
	B.1.a. Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	X			
	B.1.a.1. If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.			X	Not Applicable
	B.1.a.2. Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	X			
	B.1.b. Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	X			
	B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.	X			05/03/2018
	B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.2. The EEO Director controls all aspects of the EEO program.				
	B.2.a. Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			
	B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			
	B.2.c. Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
	B.2.d. Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
	B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			
	B.2.f. Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	X			
	B.2.g. If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (c)(3)]			X	Not Applicable
 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	B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.	Yes	No	N/A	
	B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	X			
	B.3.b. Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	X			EEO is integrated into the agency mission and included in the FY 2014 – FY 2018 Strategic Plan (Attachment C3) under Management Objective 5.1. See Executive Summary for more details.

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		Yes	No	N/A	
	B.4. The agency has sufficient budget and staffing to support the success of its EEO program.				
	B.4.a. Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:				
	B.4.a.1. to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	X			
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			
	B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	X			
	B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	X			
	B.4.a.3. to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR §§ 1614.102(c)(5); 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	X			
	B.4.a.4. to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	X			
	B.4.a.5. to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]	X			
	B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	X			
	B.4.a.7. to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)] If not, please identify the systems with insufficient funding in the comments section.	X			
	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]	X			
	B.4.a.9. to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I; EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C. 1]	X			
	B.4.b. Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	X			
	B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	X			
	B.4.d. Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II) (A) of MD-110?	X			
	B.4.e. Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills				
	B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:				
	B.5.a.1. EEO complaint process? [see MD-715(II)(B)]	X			
	B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]	X			
	B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]	X			
	B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	X			
	B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	B.6. The agency involves managers in the implementation of its EEO program.				
	B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	X			
	B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	X			
	B.6.c. When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	X			
	B.6.d. Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR §1614.102(a)(5)]	X			

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Essential Element: C Management and Program Accountability

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.1. The agency conducts regular internal audits of its component and field offices.				
	C.1.a. Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	X			Assessments of components and field offices are conducted annually.
	C.1.b. Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	X			Assessments of components and field offices are conducted annually.
	C.1.c. Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]	X			

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 Compliance Indicator	Measures	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
	C.2. The agency has established procedures to prevent all forms of EEO discrimination.				
	C.2.a. Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	X			
	C.2.a.1. Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	X			
	C.2.a.2. Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]	X			
	C.2.a.3. Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	X			
	C.2.a.4. Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [See Enforcement Guidance, V.C.]	X			
	C.2.a.5. Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see Complainant v. Dep't of Veterans Affairs, EEOC Appeal No. 0120123232 (May 21, 2015); Complainant v. Dep't of Defense (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.	X			
	C.2.a.6. Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]	X			
	C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR §1614.203(d)(3)]	X			
	C.2.b.1. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR §1614.203(d)(3)(D)]	X			
	C.2.b.2. Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	X			
	C.2.b.3. Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR §1614.203(d)(1)(ii)(B)]	X			
	C.2.b.4. Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR §1614.203(d)(3)(i)(M)]	X			
	C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If "no", please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.	X			
	C.2.c. Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR §1614.203(d)(6)]	X			

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C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.		X			Procedures will be posted to the website after receiving EEOC feedback now that an agreement has been reached on the Collective Bargaining Agreement.
 Compliance Indicator	C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
C.3.a. Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?		X			
C.3.b. Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:					
C.3.b.1. Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]		X			
C.3.b.2. Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]		X			
C.3.b.3. Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]		X			
C.3.b.4. Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]		X			
C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]		X			
C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]		X			
C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]		X			
C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]		X			
C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]		X			
C.3.c. Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]		X			
C.3.d. When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]		X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.4. The agency ensures effective coordination between its EEO program and Human Resources (HR) program.				
	C.4.a. Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	X			
	C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]	X			
	C.4.c. Does the EEO office have timely access to accurate and complete data (e.g., demographic data for the workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]	X			
	C.4.d. Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	X			
	C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:				
	C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	X			
	C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	X			
	C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X			
	C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	X			
	C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.	Yes	No	N/A	
	C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]	X			
	C.5.b. When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	X			Zero (0) individuals were disciplined/sanctioned during this reporting period for discriminatory conduct.
	C.5.c. If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct (e.g., post mortem to discuss lessons learned)? [see MD-715, II(C)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	C.6. The EEO office advises managers/supervisors on EEO matters.	Yes	No	N/A	
	C.6.a. Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.	X			Regular briefings are provided on an annual basis with monthly status reports provided to the Chairman.
	C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	X			

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Essential Element: D Proactive Prevention

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.			N/A	
	D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	X			
	D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	X			
	D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]	X			
 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	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)	Yes	No	N/A	
	D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	X			
	D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	X			
	D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	X			
	D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.	X			Complaint/grievance data, employee climate surveys (FEVS), focus groups, affinity groups, anti-harassment program, special emphasis programs, and reasonable accommodation data.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.3. The agency establishes appropriate action plans to remove identified barriers.			N/A	
	D.3.a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	X			
	D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]	X			
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	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	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.	Yes	No	N/A	
	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.	X			https://www.cftc.gov/
	D.4.b. Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR §1614.203(d)(1)(i)]	X			
	D.4.c. Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR §1614.203(d)(1)(ii)(A)]	X			
	D.4.d. Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR §1614.203(d)(7)(ii)]	X			

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Essential Element: E Efficiency

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.				
E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?		X			
E.1.b. Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?		X			
E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?		X			
E.1.d. Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.		X			The average processing time to issue acceptance letters/dismissal decisions in FY 2018 was 17 days.
E.1.e. Does the agency ensure that all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?		X			
E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?		X			
E.1.g. If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?		X			
E.1.h. When the complainant did not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?		X			
E.1.i. Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?		X			
E.1.j. If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.		X			Contractors are held accountable through firm deadlines and quality assurance reviews conducted by CFTC prior to accepting the work product.
E.1.k. If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]		X			
E.1.l. Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]		X			

Commodity Futures Trading Commission

For period covering October 1, 2017 to September 30, 2018



Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.2. The agency has a neutral EEO process.				
E.2.a. Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If "yes", please explain.		X			CFTC ensures this clear separation by providing the EEO Office Director with sufficient legal resources, within the autonomous EEO office, for reaching final agency decisions.
E.2.b. When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/ location of the attorney who conducts the legal sufficiency review in the comments column.		X			The EEO Director conducts this analysis.
E.2.c. If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]		X			
E.2.d. Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]		X			
E.2.e. If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? [see EEOC Report, Attaining a Model Agency Program: Efficiency (Dec. 1, 2004)]		X			

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.				
	E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	X			
	E.3.b. Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]	X			The Chairman delegates settlement authority to the CFTC Resolving Official. This Official is required to participate in ADR on behalf of the Commission.
	E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]	X			
	E.3.d. Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]	X			
	E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]	X			
	E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	X			

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Agency Self-Assessment Checklist





 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program.				
	E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data:				
	E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	X			
	E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	X			
	E.4.a.3. Recruitment activities? [see MD-715, II(E)]	X			
	E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]	X			
	E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]	X			
	E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	X			
	E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	X			
 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	E.5. The agency identifies and disseminates significant trends and best practices in its EEO program.	Yes	No	N/A	
	E.5.a. Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.	X			Trends in complaint activity are monitored regularly and reported annually.
	E.5.b. Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.	X			CFTC participates in the Small Agency Council (SAC), and other working groups where EEO best practices are shared.
	E.5.c. Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]	X			

Commodity Futures Trading Commission

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Agency Self-Assessment Checklist



Essential Element: F Responsiveness and Legal Compliance

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.				
	F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	X			
	F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	X			
	F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	X			
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X			
	F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	X			
	F.2.a.1. When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	X			
	F.2.a.2. When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	X			
	F.2.a.3. When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	X			
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	X			

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			
 Measures		Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
	F.3. The agency reports to EEOC its program efforts and accomplishments.				
	F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	X			
	F.3.b. Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	X			

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Plan to Attain Essential Elements

Commodity Futures Trading Commission

For period covering October 1, 2017 to September 30, 2018

Plan to Eliminate Identified Barriers

PART I.1

<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>Hispanic or Latino Males participate at 1.5% in the permanent workforce as compared to a RCLF of 3.4% -- resulting in an estimated under-representation of at least five (5) Hispanic or Latino Male employees. Hispanic or Latina Females participate at 1.1% in the permanent workforce as compared to a RCLF of 3.1% -- resulting in an estimated under-representation of at least seven (7) Hispanic or Latina Female employees.</p>						
<p>STATEMENT OF BARRIER GROUPS:</p>	<p><i>Barrier Group</i></p> <p>Hispanic or Latino Males</p> <p>Hispanic or Latino Females</p>						
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</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>FY 2018 Hiring Freeze</p>						
<p>Objective</p>	<p>Remove barriers to the workplace for Hispanic male and female employees.</p> <table border="1" data-bbox="751 951 1563 1098"> <tr> <td>Date Objective Initiated</td> <td>Jul 19, 2019</td> </tr> <tr> <td>Target Date For Completion Of Objective</td> <td>Sep 30, 2024</td> </tr> </table>	Date Objective Initiated	Jul 19, 2019	Target Date For Completion Of Objective	Sep 30, 2024		
Date Objective Initiated	Jul 19, 2019						
Target Date For Completion Of Objective	Sep 30, 2024						
<p>Responsible Officials</p>	<p>Anthony Thompson Executive Director</p> <p>Sarah Summerville Director, OMWI</p>						
<p>Planned Activities Toward Completion of Objective</p>	<table border="1" data-bbox="711 1182 1563 1350"> <thead> <tr> <th>Planned Activity</th> <th>Target Date</th> </tr> </thead> <tbody> <tr> <td>Partner with agency affinity groups to continue to identify and address potential barriers.</td> <td>Sep 30, 2020</td> </tr> <tr> <td>Develop and implement a recruitment strategy to reach potential Hispanic employees.</td> <td>Sep 30, 2020</td> </tr> </tbody> </table>	Planned Activity	Target Date	Partner with agency affinity groups to continue to identify and address potential barriers.	Sep 30, 2020	Develop and implement a recruitment strategy to reach potential Hispanic employees.	Sep 30, 2020
Planned Activity	Target Date						
Partner with agency affinity groups to continue to identify and address potential barriers.	Sep 30, 2020						
Develop and implement a recruitment strategy to reach potential Hispanic employees.	Sep 30, 2020						
<p>Report of Accomplishments and Modifications to Objective</p>							

Commodity Futures Trading Commission

For period covering October 1, 2017 to September 30, 2018

Plan to Eliminate Identified Barriers

PART I.2

<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>Lower than expected representation of Females at senior-level positions but a positive trend is observed. The participation rate for women in senior-level positions (CT-15 and SES) continues to be below the proportion expected from the relevant civilian labor force (40.58%) and below the overall proportion of women in the CFTC (41.78% of the total workforce). However, this participation rate is showing a positive trend over time: increasing from 29% in FY14, to 31% in FY15, 33% in FY16 and FY17 and now to 38% in FY18). The participation rate for All Females drops from 55% at CT13 and below, to 39% at CT14-15, to 38% at CT16+. This drop exists for all Females (except White Females, which show an increase in participation as grade increases) and is most pronounced with Black Females: with a participation rate that drops from 32% at CT13 and below, to 6% at CT14-15, to 2% at CT16+.</p>											
<p>STATEMENT OF BARRIER GROUPS:</p>	<p>Barrier Group</p> <p>All Women Hispanic or Latino Females Black or African American Females Asian Females Native Hawaiian or Other Pacific Islander Females American Indian or Alaska Native Females Two or more Races Females</p>											
<p>BARRIER ANALYSIS:</p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</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>Lack of funding to implement a comprehensive formal development strategy for individuals at the mid-career and senior level.</p>											
<p>Objective</p>	<p>Eliminate potential barriers to career advancement for internal candidates to senior-level positions.</p> <table border="1" data-bbox="760 1352 1557 1503"> <tr> <td>Date Objective Initiated</td> <td>Oct 1, 2016</td> </tr> <tr> <td>Target Date For Completion Of Objective</td> <td>Sep 30, 2024</td> </tr> </table>		Date Objective Initiated	Oct 1, 2016	Target Date For Completion Of Objective	Sep 30, 2024						
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Planned Activity	Target Date											
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Plan to Eliminate Identified Barriers

Report of Accomplishments and Modifications to Objective

After several years of partnering with the Women in Derivatives (WIND) organization CFTC commenced and chartered its own group in April 2017 - Association of Women at Work (WAW). WAW will assist the Agency with promoting and fostering a diverse and inclusive workplace and will provide mentoring and networking opportunities for women. Unconscious Bias training options have been assessed and a session is scheduled for senior managers and executives during FY18.

The CFTC promoted its executive coaching training program among women in positions CT-14 and higher and has seen increased participation rates for women. Unconscious bias training was not conducted, but plans are in place to commence the subject training during FY18. OMWI continues to work with affinity group to prepare relevant briefings and panel discussions regarding career advancement in the financial industry. Table A11 now contains relevant information to conduct better analysis of internal selections for senior level positions.

CFTC OMWI provided unconscious bias briefing to executives, senior staff and employees and provided No FEAR and EEO training (which included training in sexual harassment and reprisal). Reasonable Accommodation training is scheduled to be included in the Collective Bargaining Agreement training. OMWI drafted and submitted proposed language to OED to establish and recognize diversity standards in two Awards. The Excellence in Management Award will recognize supervisors and managers who recruit, hire and promote diversity: including in the internship program. The Staff Excellence Award will recognize nonsupervisory/managerial employees who support diversity. OMWI worked with Divisions to conduct outreach and recruit volunteer interns for the 2018 spring and summer resulting in 17 women being selected to participate in the intern program.

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

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

Section I: Efforts to Reach Regulatory Goals

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

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

- a.Cluster GS-1 to GS-10 (PWD) Answer Yes
- b.Cluster GS-11 to SES (PWD) Answer Yes

There are no PWD within the cluster of 26 permanent employees in grades CT-1 to CT-10. Of the 643 employees in the cluster of CT 11 and higher, 4.04% (26 employees) are PWD. Both clusters are below the 12% benchmark goal.

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

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

- a.Cluster GS-1 to GS-10 (PWTD) Answer Yes
- b.Cluster GS-11 to SES (PWTD) Answer Yes

There are no PWTD within the cluster of 26 permanent employees in grades CT-1 to CT-10. Of the 667 permanent employees in the cluster of CT 11 and higher, 0.47% (3 employees) are PWTD. Both clusters are below the 2% benchmark goal.

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

CFTC experienced a hiring freeze in FY 2018. Despite this challenge, the agency continued to take steps to ensure that key stakeholders knew that the CFTC has adopted the mandatory 2% and 12% employment goals. For example, for the limited hiring that occurred, HR Specialists provided and discussed the various options available to hiring officials for hiring PWDs and PWTDs. OMWI also briefed the CFTC Chairman, Chief of Staff, Commissioners, and labor union to ensure that all employees are aware of the goals and what the agency can do to reach them.

Section II: Model Disability Program

Pursuant to 29 C.F.R. § 1614.203(d)(1), agencies must ensure sufficient staff, training and resources to recruit and hire persons with disabilities and persons with targeted disabilities, administer the reasonable accommodation program and special emphasis program, and oversee any other disability hiring and advancement program the agency has in place.

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

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

Answer Yes

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

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTD	0	1	0	Sarata Head Employment Manager SHead@cftc.gov
Answering questions from the public about hiring authorities that take disability into account	0	1	0	Sarata Head Employment Manager SHead@cftc.gov
Processing reasonable accommodation requests from applicants and employees	0	1	0	Lauren Colón Chief, Workforce Relations LColon@cftc.gov
Section 508 Compliance	0	1	0	Kennet Ake IT Specialist KAke@cftc.gov
Architectural Barriers Act Compliance	0	0	1	Wesley French Manager - Programs and Planning wfrench@cftc.gov
Special Emphasis Program for PWD and PWTD	0	1	0	Derrick Wilson Diversity and Inclusion Specialist dwilson@cftc.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

Due to budget constraints and the hiring freeze, fee-based training was limited during the time of this freeze but will resume once the budget is approved and hiring resumes. Nevertheless, CFTC staff has sufficient training to carry out their responsibilities, including training and extensive experience in the application of federal human resource requirements and best practices regarding reasonable accommodations, non-competitive hiring authorities, accessibility, and disability inclusion. Staff also continues to engage in no-cost activities designed to increase their knowledge and skill including online training and reviewing material posted to the EEOC website. Disability Program Staff has full access to cutting-edge legal research tools such as Lexis Nexis to continue to build on their extensive experience and educate themselves on how to address complex disability issues. For example, staff members recently conducted negotiations for the agency's collective bargaining agreement. Through that process, staff conducted in-depth research on reasonable accommodation requirements under Section 501 of the Rehabilitation Act in order to effectively negotiate with the union. Additionally, OMWI provided staff with a training regarding anxiety and depression in the workplace and will continue to work with disability program staff to provide disability training and educational resources as needed.

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

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

Answer Yes

During FY 2018, the Commission experienced significant budget constraints that resulted in a hiring freeze. Once the CFTC budget is approved, the Commission plans to provide sufficient training and other resources to successfully implement the disability program including gathering Schedule A qualified applicants via State Vocational Rehabilitation Services and Veteran organizations. CFTC will also utilize Veteran hiring programs and attend local career fairs that focus on disability hiring.

Section III: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

During FY 2018, the Commission experienced significant budget constraints that resulted in a hiring freeze. However, once this hiring freeze is lifted the agency will utilize a variety of recruitment strategies to increase the number of qualified applicants with disabilities and applicants with targeted disabilities within the major occupations. These include sourcing Schedule A qualified applicants via State Vocational Rehabilitation Services and Veteran organizations, utilizing Veteran hiring programs and attending local career fairs that focus on disability hiring, and identifying and reaching out to professional associations that include people with disabilities such as the National Association of Attorneys with Disabilities and the Deaf and Hard of Hearing Bar Association.

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 Human Resources Branch provides qualified Schedule A and disabled Veteran applicants to hiring officials when appropriate.

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) CFTC determines if the individual is eligible for appointment under such authority by requiring certification for the appropriate disability resource. (2) Qualified schedule A and Veterans applicant information (certs) are forwarded to hiring officials as part of the list of eligible candidates. HR Specialists are available to discuss all parts of the Schedule A and other PWD-type of hiring authorities.

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

Instruction and use of hiring authorities – including Schedule A and Veteran Hiring Authorities – are provided to new supervisors during their required 40 hours of training. Online courses are also made available and encouraged. Periodic refresher courses are also available and provided to hiring officials.

B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS

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

During FY 2018, the Commission effort was limited by significant budget constraints that resulted in a hiring freeze. During this time, the CFTC Partnership with Gallaudet University continues to help promote internships and post-graduation employment once hiring resumes. During FY 2019 and FY 2020 the CFTC will expand its outreach and find additional resources to increase the recruitment and hiring of PWD and PWTD to mission critical occupations. Two potential resources that have been identified include the National Association of Attorneys with Disabilities and the Deaf and Hard of Hearing Bar Association.

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. Cluster GS-1 to GS-10 (PWTD) Answer No

b. Cluster GS-11 to SES (PWTD) Answer No

In FY 2018, there were 16 positions filled (see Table B7). 871 applications were received for these 16 positions, with 504 (58%) of the applicants voluntarily identified as No Disability or PWD (which includes PWTD). 357 (71%) of the candidates in the voluntary reporting population were assessed as "qualified." The inclusion rate for this qualified population was not statistically difference across the various groups. Overall, 69% of applicants were deemed qualified, with 71% of PWD and PWTD applicants deemed qualified. The number of PWD applicants (4.8% of population reporting) was below the 12% target as was the number of qualified PWD (8.3% of qualified applicants reporting and 4.8 % overall). However, the proportion of applications is consistent with the expected number of PWD applicants for the series and locations employed by the CFTC (which is closer to 4% as opposed to the 12% overall PWD representation in the CLF). Although zero (0) PWD applicants were selected out of the 16 positions, the trigger was not found to be statistically significant as the probability of this outcome occurring (assuming the positions are selected at rates of representation) is 45% (60% if we include the disabled veteran hire as a PWD hire). PWTD applicants exceed the 2% target in reporting applicants received (3.2% of the applicants reporting) qualified PWTD (5.3% of qualified applicants reporting). Although zero (0) PWTD applicants were selected out of the 16 positions, the trigger was not found to be statistically significant as the probability of this outcome occurring (assuming the positions are selected at rates of representation) is 59%.

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

a. New Hires for MCO (PWD) Answer No

b. New Hires for MCO (PWTD) Answer No

There were no PWD or PWTD hired in FY 2018 in the mission critical occupations. However, after adjusting for the population that did not identify their disability status (42% of all applicants), the differences in participation rates were not statistically significant given number of position filled in FY 2018.

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

a. Qualified Applicants for MCO (PWD) Answer No

b. Qualified Applicants for MCO (PWTD) Answer No

There were no PWD or PWTD hired in FY 2018 in the mission critical occupations. However, after adjusting for the population that did not identify their disability status (66% of all internal applicants), the differences in participation rates among the qualified internal applicants were not statistically significant given the number of applicants received in FY 2018.

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

a. Promotions for MCO (PWD) Answer No

b. Promotions for MCO (PWTD) Answer No

There were no PWD or PWTD hired in FY 2018 in the mission critical occupations. However, after adjusting for the population that did not identify their disability status (66% of all internal applicants), the differences in inclusion rates among the qualified internal applicants were not statistically significant given the number of position filled in FY 2018.

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

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

A. ADVANCEMENT PROGRAM PLAN

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

To ensure that people with disabilities can access all learning opportunities, the CFTC will process all requests for reasonable accommodations regarding training appropriately and will ensure that trainings disseminated through its Learning Management System are compliant with Section 508 of the Rehabilitation Act. Though opportunities for training and development programs do not exclude PWD or PWTD and all employees are afforded the same opportunities for advancement as appropriate, the CFTC will work to further develop a comprehensive plan to ensure advancement opportunities for PWD. The plan will include the use of details and job assignments as well as mentoring to advance PWD.

B. CAREER DEVELOPMENT OPPORTUNITES

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

Implementing a new Learning Management System (LMS), the CTFC was uniquely equipped to address the regulatory and mission-critical education and development needs of its employees throughout FY 2018. The Commission offered a number of regulatory learning engagements that were delivered through eLearning training sessions. The Commission continued to offer Continued Legal Educations (CLE) and Continued Professional Education (CPE) training access to all employees. These courses afford staff with relevant information in: Accounting, Auditing, Dodd-Frank legislation, Swaps, Derivatives, Financial Market essentials, Project Management, Financial Management and ethics. Using blended learning techniques, CFTC staff participated in mission-related seminars available via in-person training, forums, seminars, live webcasts, audio CD’s and DVDs, MP3s, course handbooks and on-demand learning. This training opportunity is offered to all qualified employees, including persons with disabilities. The CFTC goes to law schools and colleges and successfully recruited 43 unpaid (voluntary) interns. Although these interns did not self-identify, HR estimates that over 50% of the participants were woman and/or minority, with at least 2 (4.7%) having a targeted disability. CFTC trained these interns on the transition from being an Intern to federal employee and provided training on the OPM hiring authorities for internship programs: including the Pathways Program, Student Volunteer Program, Unpaid Intern Program and Disability Employment. Additionally, the CFTC utilizes competitive and non-competitive detail assignments both internally and with other agencies as opportunities for advancement.

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

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (#)	Selectees (#)	Applicants (#)	Selectees (#)
Internship Programs	0	0	0	0	0	0
Fellowship Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Coaching Programs	0	0	0	0	0	0
Training Programs	0	0	0	0	0	0
Detail Programs	0	0	0	0	0	0
Other Career Development Programs	0	0	0	0	0	0

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

a. Applicants (PWD) Answer N/A

b. Selections (PWD) Answer N/A

No triggers were identified as CFTC had limited funds for career development programs in FY 2018. The agency will plan to implement a system for collecting data for career development applications.

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

No triggers were identified as CFTC had limited funds for career development programs in FY 2018. The agency will plan to implement a system for collecting data for career development applications.

C. AWARDS

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

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

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

The differences in awards for PWD and PWTD were not significantly different from employees that did not identify their disability status and also not statistically different from employees with no disability.

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

a. Pay Increases (PWD) Answer No

b. Pay Increases (PWTD) Answer No

The CFTC did not award QSI's in FY 2018.

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 No

ii. Internal Selections (PWD) Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

c. Grade GS-14

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

d. Grade GS-13

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

Although some difference in the selection rate of PWD was observed, due to the limited hiring, the observed differences in selection rates were not statistically significant.

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

a. SES

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

c. Grade GS-14

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

d. Grade GS-13

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

Although some difference in the selection rate of PWTD was observed, due to the limited hiring, the observed differences in selection rates were not statistically significant.

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 No

- | | | |
|-----------------------------|--------|----|
| b. New Hires to GS-15 (PWD) | Answer | No |
| c. New Hires to GS-14 (PWD) | Answer | No |
| d. New Hires to GS-13 (PWD) | Answer | No |

CFTC did not have hires at grades CT-16 and above in FY 2018. The differences observed in CT-13, CT-14 and CT-15 selection rates for PWD were not statistically significantly different from the expected rates.

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

- | | | |
|------------------------------|--------|----|
| a. New Hires to SES (PWTD) | Answer | No |
| b. New Hires to GS-15 (PWTD) | Answer | No |
| c. New Hires to GS-14 (PWTD) | Answer | No |
| d. New Hires to GS-13 (PWTD) | Answer | No |

CFTC did not have hires at grades CT-16 and above in FY 2018. Due to limited hiring, the differences observed in CT-13, CT-14 and CT-15 selection rates for PWTD were not statistically significantly different from the expected rates.

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 | No |
| ii. Internal Selections (PWD) | Answer | No |
| b. Managers | | |
| i. Qualified Internal Applicants (PWD) | Answer | No |
| ii. Internal Selections (PWD) | Answer | No |
| c. Supervisors | | |
| i. Qualified Internal Applicants (PWD) | Answer | No |
| ii. Internal Selections (PWD) | Answer | No |

Due to limited promotions to supervisory positions, the differences in inclusion rates observed for PWD were not statistically significantly different from the expected rates.

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 | No |
| ii. Internal Selections (PWTD) | Answer | No |
| b. Managers | | |
| i. Qualified Internal Applicants (PWTD) | Answer | No |
| ii. Internal Selections (PWTD) | Answer | No |
| c. Supervisors | | |

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

Due to limited promotions to supervisory positions, the differences in inclusion rates observed for PWTD were not statistically significantly different from the expected rates.

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

a. New Hires for Executives (PWD) Answer No

b. New Hires for Managers (PWD) Answer No

c. New Hires for Supervisors (PWD) Answer No

Due to limited hiring to supervisory positions, the differences in inclusion rates observed for PWD were not statistically significantly different from the expected rates.

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 No

b. New Hires for Managers (PWTD) Answer No

c. New Hires for Supervisors (PWTD) Answer No

Due to limited hiring to supervisory positions, the differences in inclusion rates observed for PWD were not statistically significantly different from the expected rates.

Section V: Plan to Improve Retention of Persons with Disabilities

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

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer N/A

No employees have been eligible for conversion during this reporting period. Any employees that are eligible are converted as appropriate.

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

a. Voluntary Separations (PWD) Answer No

b. Involuntary Separations (PWD) Answer No

The separation rates of PWD were not statistically different from the separation rates for individuals with no disability and individuals that did not identify their disability status.

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

a. Voluntary Separations (PWTD) Answer No

b. Involuntary Separations (PWTD) Answer No

The separation rates of PWTDD were not statistically different from the separation rates for individuals with no disability and individuals that did not identify their disability status.

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

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.cftc.gov/WebPolicy/EEONoFearAct/index.htm>

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.cftc.gov/WebPolicy/EEONoFearAct/index.htm>

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.

Facilities are up to accessibility requirements in all Offices: Washington, DC; New York, NY; Chicago, IL; Kansas City, MO

C. REASONABLE ACCOMMODATION PROGRAM

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

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

The average time frame for processing initial requests for reasonable accommodation during the reporting period is seven (7) business days.

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

CFTC has consistently provided responses to reasonable accommodation requests, both approved and not approved. Managers and supervisors have been trained on reasonable accommodation responsibilities, including the process.

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.

One of the strengths of the CFTC's personal assistance services procedures is that they are integrated into the CFTC's reasonable accommodation procedures to ensure consistency and efficiency. The CFTC did not receive any requests for Personal Assistance Services in FY 2018, but will continue to evaluate the effectiveness of its procedures in FY 2019 and FY 2020.

Section VI: EEO Complaint and Findings Data

A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer No

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

Answer No

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

CFTC did not have any findings of discrimination in FY 2018

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.

There are lower than expected PWD and PWTD that applied for the few positions filled in FY 2018. This is due to positions being filled at the CFTC having lower proportion of individuals with disabilities. Although the American Community Survey uses a different definition for 'Disabled,' it reports approximately 12% of the overall population as being 'Disabled.' In contrast, the same survey reports only 4% of the population in the major occupational series at CFTC as being 'Disabled'. While the underrepresentation of PWD and PWTD in the CFTC major occupational series may be indicative of a barrier, this barrier is not due to CFTC's policies, procedures or practices and is a barrier outside of the Commission's control. Although selection rates of qualified PWD applicants were lower than expected, this difference was not statistically significant. This will be monitored in FY19 with attention focused on fully utilizing schedule A hiring authority and ensuring broad outreach to cast the widest net possible. The CFTC will use additional resources to assist its efforts, including the Federal Exchange on Employment & Disability, an interagency group managed through the Department of Labor's Office of Disability Employment Policy (ODEP), and its contactor, the Employer Assistance and Resource Network on Disability Inclusion (EARN).

Section VII: Identification and Removal of Barriers

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

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

Answer 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

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

N/A

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

N/A

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

N/A