

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

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

### Section I: Efforts to Reach Regulatory Goals

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

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

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

Within the cluster of 19 permanent employees in grades CT-1 to CT-10, 5.26% (1 employee) are people with disabilities, an increase from 0% (0 employees) in FY18. Of the 651 employees in the cluster of CT 11 and higher, 4.76% are people with disabilities (31 employees), an increase from 4.04% (26 employees) in FY18. 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 No  |
| b. Cluster GS-11 to SES (PWTD)  | Answer Yes |

Within the cluster of 19 permanent employees in grades CT-1 to CT-10, 5.26% (1 employee) are people with targeted disabilities, an increase from 0% (0 employees) in FY18. Of the 651 permanent employees in the cluster of CT 11 and higher, 0.46% (3 employees) are PWTD.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numerical Goal	--	12%		2%	
Grades GS-1 to GS-10					
Grades GS-11 to SES					

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

The agency continues to take steps to ensure that key stakeholders know that the CFTC has adopted the mandatory 2% and 12% employment goals. For example 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	
Section 508 Compliance	0	1	0	Kennet Ake IT Specialist Section508@cftc.gov
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
Architectural Barriers Act Compliance	0	0	1	Wesley French Manager - Programs and Planning dclohelpdesk@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

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.

**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

N/A

**Section III: Program Deficiencies In The Disability Program**

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

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

**A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES**

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

The agency utilizes 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 FY20 and FY21 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. New Hires for Permanent Workforce (PWD) Answer Yes

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

In FY19, there were 20 positions filled in the major occupations (see Table B7). 5% of the new hires (1 employee) were people with disabilities, which is under the 12% benchmark. 0% of the new hires were people with targeted disabilities, which is under the 2% benchmark.

New Hires	Total (#)	Reportable Disability		Targeted Disability	
		Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants	0				
% of Qualified Applicants	0				
% of New Hires	0				

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 Yes

b. New Hires for MCO (PWTD) Answer Yes

For the 0110 series (Economist), people with disabilities were 6.14% of the qualified applicants but 0% of the selections; people with targeted disabilities were 5.26% of the qualified applicants, but 0% of the selections. For the 0905 series (Attorney), people with disabilities were 5.85% of the qualified applicants but 0% of the selections; people with targeted disabilities were 3.04% of the qualified applicants, but 0% of the selections. For the 1101 series (General Business and Industry), people with targeted disabilities were 1.78% of the qualified applicants, but 0% of the selections.

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

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

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

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

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

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

### A. ADVANCEMENT PROGRAM PLAN

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

To ensure that people with disabilities can access all learning opportunities, the CFTC processes all requests for reasonable accommodations regarding training appropriately and ensures 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.

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 to recruit unpaid (voluntary) interns. 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 the CFTC does not have a formal career development program.

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 the CFTC does not have a formal career development program.

### C. AWARDS

1. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTD for any level of the time-off awards, bonuses, or other incentives? If “yes”, please describe the trigger(s) in the text box.
- a. Awards, Bonuses, & Incentives (PWD) Answer Yes
- b. Awards, Bonuses, & Incentives (PWTD) Answer No

Though PWD are 4.89% of the workforce, they received 1.9% of time off awards (1-9 hours), 3% of time off awards (9+ hours), and 4.2% of cash awards.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards					

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 2019.

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

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

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

**D. PROMOTIONS**

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

- a. SES
  - i. Qualified Internal Applicants (PWD) Answer 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 |

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 |

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

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

The agency currently does not collect this data, but the Human Resources Branch is working with our vendor to create a system to do so.

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



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

The agency currently does not collect this data, but the Human Resources Branch is working with our vendor to create a system to do so.

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

a. Executives

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

b. Managers

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

c. Supervisors

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

The agency currently does not collect this data, but the Human Resources Branch is working with our vendor to create a system to do so.

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

a. Executives

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

b. Managers

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

c. Supervisors

- i. Qualified Internal Applicants (PWTD) Answer N/A

ii. Internal Selections (PWTD)

Answer N/A

The agency currently does not collect this data, but the Human Resources Branch is working with our vendor to create a system to do so.

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

a. New Hires for Executives (PWD)

Answer N/A

b. New Hires for Managers (PWD)

Answer N/A

c. New Hires for Supervisors (PWD)

Answer N/A

The agency currently does not collect this data, but the Human Resources Branch is working with our vendor to create a system to do so.

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

a. New Hires for Executives (PWTD)

Answer N/A

b. New Hires for Managers (PWTD)

Answer N/A

c. New Hires for Supervisors (PWTD)

Answer N/A

The agency currently does not collect this data, but the Human Resources Branch is working with our vendor to create a system to do so.

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

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

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer 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

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
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3. Using the inclusion rate as the benchmark, did the percentage of PWTB among voluntary and involuntary separations exceed that of persons without targeted disabilities? If "yes", describe the trigger below.

- a. Voluntary Separations (PWTB) Answer No
- b. Involuntary Separations (PWTB) Answer No

Seperations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
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4. If a trigger exists involving the separation rate of PWD and/or PWTB, 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 comply with 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 2019, but will continue to evaluate the effectiveness of its procedures in FY 2020 and FY 2021.

### **Section VII: EEO Complaint and Findings Data**

#### **A. EEO COMPLAINT DATA INVOLVING HARASSMENT**

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

Answer No

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

Answer No

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

CFTC did not have any findings of discrimination in FY 2019.

#### **B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION**

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

Answer No

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

Answer No

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

N/A

## Section VIII: Identification and Removal of Barriers

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

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

Answer 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

<p><b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>In FY19, the 12% participation rate goal for PWD was not met for grades CT10 and below nor for grades CT11 and above; instead, the participation rates were 5.26% and 4.76% respectively. The 2% participation rate goal for PWTD was not met for grades CT11 and above and was instead .46%.Positively, the 2% participation rate goal for PWTD was met for grades CT-10 and below and the participation rate of PWD increased in FY19 compared to FY18 for both grade level clusters.</p>							
<p><b>STATEMENT OF BARRIER GROUPS:</b></p>	<p><i>Barrier Group</i></p> <p>People with Disabilities</p> <p>People with Targeted Disabilities</p>							
<p><b>BARRIER ANALYSIS:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>								
<p><b>STATEMENT OF IDENTIFIED BARRIER:</b></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>1) Underrepresentation of PWD and PWTD in the CFTC’s major occupational series in the relevant civilian labor force indicates a barrier in the agency’s applicant pipeline. Although the American Community Survey uses a different definition for ‘Disabled,’ it reports approximately 12% of the overall population as ‘Disabled.’ In contrast, the same survey reports only 4% of the population in the major occupational series at CFTC as ‘Disabled;” and 2) Attitudinal barriers may lead to underreporting of the number of PWD. The Human Resources Branch has reported that a candidate was hired as a 30% or more disabled veteran, but chose not to disclose their disability on the SF-256 form, indicating that the CFTC is not immune to social biases that that lead to fear of stigmatization.</p>							
<p><b>Objective</b></p>	<p>Increase the number of PWD and PWTD employed by the CFTC.</p> <table border="1" data-bbox="441 961 1515 1108"> <tr> <td><b>Date Objective Initiated</b></td> <td>Aug 7, 2019</td> </tr> <tr> <td><b>Target Date For Completion Of Objective</b></td> <td>Sep 20, 2021</td> </tr> </table>				<b>Date Objective Initiated</b>	Aug 7, 2019	<b>Target Date For Completion Of Objective</b>	Sep 20, 2021
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<p><b>Responsible Officials</b></p>	<p>KerriLaine Prunella Chief Human Capital Officer</p>							
<p><b>Target Date (mm/dd/yyyy)</b></p>	<p><b>Planned Activities</b></p>	<p><b>Sufficient Staffing &amp; Funding (Yes or No)</b></p>	<p><b>Modified Date (mm/dd/yyyy)</b></p>	<p><b>Completion Date (mm/dd/yyyy)</b></p>				
<p>09/30/2019</p>	<p>Research disability organizations to target for recruitment.</p>	<p>Yes</p>		<p>09/30/2019</p>				
<p>09/30/2021</p>	<p>Implement a disability recruitment campaign.</p>	<p>Yes</p>						
<p>09/30/2020</p>	<p>Resurvey the workforce’s disability status.</p>	<p>Yes</p>		<p>10/01/0019</p>				
<p>09/30/2020</p>	<p>Create and conduct disability inclusion training.</p>	<p>Yes</p>		<p>10/01/0019</p>				
<p><b>Fiscal Year</b></p>	<p><b>Accomplishments</b></p> <p>2018 The CFTC’s OMWI spearheaded a training on anxiety and depression in the workplace in order to address stigmas regarding those conditions and to create a more inclusive environment.</p> <p>2019 The CFTC’s OMWI: 1) conducted a campaign to resurvey the workforce’s disability status by sending an email blast to all agency employees and handing out fliers and candy in the lobby to promote awareness; 2) developed and led a training "Disability Inclusion 101" for agency employees; and 3) researched disability organizations to target for potential recruitment.</p>							

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).

The activities reached all agency staff and succeeded in raising awareness of the importance of self-disclosing your disability status and practices regarding disability inclusion; the CFTC will plan to implement a tracking system for determining the number of individuals who do not disclose their disability status through their SF-256 form to measure progress.

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.

The agency has hired a new Chief Human Capital Officer who onboarded in March of 2020. The OMWI Office will work closely with the new Chief Human Capital Officer to further develop and implement the Agency's disability recruitment and employment plan, ensuring that the plan includes outreach to disability employment groups, professional development opportunities and mentorship for individuals with disabilities, and ongoing educational opportunities regarding disability inclusion.