

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019

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|--|--|--|
| 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. 671 |
| | 2. Enter total number of temporary employees | 2. 24 |
| | 3. TOTAL EMPLOYMENT [add lines B 1 through 2] | 4. 695 |

| PART C | Title Type | Name | Title |
|--|---|------------------------------------|--|
| Agency Official(s) Responsible For Oversight of EEO Program(s) | 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) | KerriLaine Prunella | 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 | Sarah Summerville | Director, Office of Minority and Women Inclusion |
| | ADR Program Manager | KerriLaine Prunella | Chief Human Capital Officer |
| | 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 | |
| Personal Assistance Services Procedures | Y | Y | |
| Reasonable Accommodation Procedure | Y | Y | |
| Organization Chart | Y | Y | |
| Agency Strategic Plan | Y | Y | |
| Anti-Harassment Policy and Procedures | Y | Y | |
| EEO Policy Statement | Y | Y | |
| Alternative Dispute Resolution Procedures | Y | Y | |
| Human Capital Strategic Plan | N | N | |
| Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey | N | N | |
| Disabled Veterans Affirmative Action Program (DVAAP) Report | N | N | |
| Federal Equal Opportunity Recruitment Program (FEORP) Report | N | N | |
| 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.

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

EEOC Management Directive 715 (MD-715) defines the essential elements of 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 its FY19 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.

Overall, the FY19 self-assessment found the CFTC met 99 of the 100 performance measures. The only performance measure that was not met was 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?* The status of this performance measure and steps that the CFTC's Human Resources Branch is taking to improve their data collection systems to meet this measure is discussed further below in **Essential Element C – Management and Program Accountability**.

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

Essential Element A – Demonstrated Commitment from Agency Leadership. CFTC leadership has taken concrete action to promote an inclusive environment that provides all employees with the chance to achieve their full potential without barriers to equal employment opportunity. Shortly after being sworn in, the CFTC's new Chairman Heath Tarbert issued effective and up-to-date EEO and Anti-harassment statements that called upon "...every CFTC employee, at every level of seniority, to support our efforts to be an exemplar of EEO and diversity in the financial services industry and the federal government." After onboarding, Chairman Tarbert spearheaded the creation of an employee affinity group for Veterans and planned the purchase of Flags of Valor for the CFTC offices in support of former military members. The Chairman has played a hands-on role in supporting special observance months by extending invitations to speak to individuals in his network, delivering the opening remarks for each observance month, and encouraging agency supervisors and staff to attend.

Other CFTC leaders have supported diversity and inclusion during FY19. For example, Commissioner Dawn Stump delivered the keynote address "Is Perfection the Enemy of the Girl?" at the 2019 Women's Energy Network National Conference. Commissioner Rostin Behnam worked to develop legislative recommendations that were introduced in House Resolution 4257, that would bring the CFTC under the diversity mandates of Section 342 of the 2010 Dodd-Frank Act, which requires covered agencies to, for example: 1) assess the diversity policies and practices of their regulated entities; and 2) develop and implement standards and procedures to ensure, to the maximum extent possible, the fair inclusion and utilization of minorities, women, and minority-owned and women-owned businesses in all business and activities of the agency at all levels, including in procurement, insurance, and contracts. The legislation would also establish a paid CFTC internship program for students from 1890's land grant institutions, which would diversify the CFTC's applicant pipeline.

Essential Element B – Integration of EEO into Agency Mission. EEO is integrated into the agency's mission and is included in the agency's 2020 – 2024 Strategic Plan. Strategic Goal 5.4 commits the organization to "attract, retain, and promote a diverse workforce of the best and the brightest." The plan also includes teamwork as a core value, which is defined as "valuing diverse skill sets and backgrounds to achieve our mission."

The CFTC's EEO programs are structured to maintain a workplace that is free from discrimination. The principal EEO official has 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's 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 for all employees, includes elements that assess whether the manager and supervisors: 1) encourage and recognize others in the areas of diversity and equal opportunity; 2) demonstrate adherence to EEO and diversity principles within the agency and when representing the agency outside the CFTC; 3) respond constructively and proactively when employees make protected disclosures; and 4) take responsible actions to resolve such disclosures and foster a comfortable work environment

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

for making such disclosures. Additionally, all employees, even non-supervisors, are rated on whether or not they demonstrate adherence to EEO and diversity principles. In FY19, the agency provided the opportunity for employees committed to diversity to be recognized with two awards: 1) the **Excellence in Management Award** for managers and supervisors who recruit, hire and promote a diverse workforce, including within the summer internship program; and 2) the **Staff Excellence Award** for non-supervisory employees who support diversity.

The CFTC has established policies and procedures to prevent all forms of EEO discrimination. The CFTC's Human Resources Branch drafted updated reasonable accommodation and personal assistance services procedures and submitted them to the EEOC for review during FY19. The CFTC will issue and post the final version of these procedures after receiving feedback on them from the EEOC. An anti-harassment policy has been incorporated into the CFTC's collective bargaining agreement; the CFTC's Human Resources Branch is currently working on an update to that anti-harassment policy that will incorporate the feedback provided by the EEOC in FY20.

The CFTC is not, however, compliant with indicator 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?* The Human Resources Branch has reported that they are not able to generate some of the needed data required for the newly instituted data reporting requirements of the FY19 MD-715 report. However, the Human Resources Branch informed OMWI that they are working with their vendors and internal stakeholders to update their systems to ensure future compliance. Please see Addendum: The CFTC's FY19 MD-715 Data Tables, which is submitted with this report for further information.

Essential Element D – Proactive Prevention. The CFTC makes early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity. All mandatory EEO and whistleblower trainings are provided regularly as required, and supervisors receive training on reasonable accommodations, anti-harassment, and other important EEO and diversity principles.

Furthermore, the CFTC works to foster a culture of inclusion that values diversity. Despite limited resources, with one-third of the positions in OMWI unfilled due to a hiring freeze for nearly three quarters of FY19, OMWI organized multiple events and supported a community of 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 @ Work. As mentioned above, OMWI and the Chairman's Office also planned for the launch of a new Veterans affinity group. Affinity groups play an important role in promoting a sense of belonging and providing networking and leadership development opportunities for staff that may be underrepresented at the agency. For example, Women @ Work hosts a book club and regular mentorship coffee-hours for members; the Association of Asian Americans and Pacific Islanders plans annual agency-wide Lunar New Year and Diwali Celebrations and hosted a tea for new interns. OMWI worked with the affinity groups to co-sponsor agency-wide observance month events that highlighted a diverse array of accomplished speakers from throughout the financial sector. The CFTC also continues to engage the CFTC Diversity Council, which includes supervisors and managers from the Divisions, Regional Offices, the employee affinity groups, and the National Treasury Employee Union, 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 FY19 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 (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 counseling and 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 695 employees. 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 13% of the CFTC workforce across 21 occupational series: none of these 21 series individually represent more than 3% of the CFTC permanent 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 **38%** 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 **21%** 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 **16%** 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 Identification and Barrier Analysis. A review of the CFTC's employment data indicates that the CFTC's workforce reflects the diversity of the relevant civilian labor force^[1] (RCLF) in some respects. For example:

- 42.16% of the total CFTC workforce are female compared to 40.6% of the RCLF;
- 5.18% of the total CFTC workforce are Black males compared to 4.5% of the RCLF;
- 10.94% of the total CFTC workforce are Black females compared to 6.8% of the RCLF;
- 5.47% of the total CFTC workforce are Asian males compared to 4.8% of the RCLF;
- 4.89% 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 1.49% in the permanent workforce as compared to a RCLF of 3.4%. Hispanic or Latina females participate at 1.19% in the permanent workforce as compared to a RCLF of 3.1%. Barriers identified that likely contributed to this trigger are: 1) the hiring freeze in place throughout all of FY18; 2) the lack of funding and staff dedicated to diversity recruitment; and 3) the lack of an agency-wide diversity recruitment strategy.

Trigger 2 – Lower than expected representation of females overall as well as racial and ethnic minorities overall in senior-level permanent positions. The participation rate for females in CT16+ permanent positions is 35% which is below the RCLF of 41%. Furthermore, only 19% of individuals in CT16+ permanent positions are racial and ethnic minorities compared to their representation in the RCLF at 27%. In contrast, there is a higher than expected

EXECUTIVE SUMMARY: WORKFORCE ANALYSES

representation of White males in permanent senior level positions: 54% of individuals in 16+ positions are White males compared to their representation in the RCLF of 46%.

The largest gap between representation in CT16+ permanent positions and the RCLF exists for Hispanic employees: 0% of CT16+ permanent positions are filled by Hispanic employees, despite their representation in the RCLF at 6.5%.

Positively, the representation of Black females in CT16+ positions increased from 2% in FY18 to 6% in FY19, which nears their representation in the RCLF of 7%. White women's representation in CT16+ positions is 27%, which is the same as their 27% representation in the RCLF. However, Asian American females representation in CT16+ positions is 2% compared to a RCLF of 3.61%. Notably, 0% of CT16+ graded individuals are Hispanic females, Native Hawaiian or Other Pacific Islander females, American Indian or Alaskan Native females, or Two or More Races females, though cumulatively the RCLF of those combined demographic categories is 4%.

In addition to the barriers listed in Trigger 1 above, a barrier of insufficient funding to implement a comprehensive formal development strategy has been identified in previous MD-715 reports. This continued to be a barrier in FY19, but is progressing towards resolution due to the hiring of a new Learning Officer.

Trigger 3 – Participation Below Goal for People with Disabilities (PWD) and People with Targeted Disabilities (PWTD). 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 for both grade level clusters. Based on American Community Survey (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'. Achieving representation rates for the CT1 to CT10 cluster will not be possible given the fact that the CFTC workforce plan includes no federal employee backfill at these grade levels. There are currently 19 employees at these grade levels and the current plan is to eliminate the positions or use a contractor workforce to meet workforce requirements as the positions become vacant. The barriers identified are: 1) PWD and PWTD are underrepresented in the CFTC's applicant pipeline; and 2) societal attitudinal barriers may create a reluctance to self-disclose disability status.

[1] During FY19, the CFTC hired a mathematician on detail, who assisted in calculating the Commission's RCLF. In doing so, 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 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).

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 FY19.

Submitted Reasonable Accommodation and Personal Assistance Services Procedures Draft to the EEOC.

CFTC's Human Resources Branch drafted compliant reasonable accommodation and personal assistance services procedures. These procedures were submitted to the EEOC for their technical review in FY19. The CFTC will incorporate any feedback from the EEOC once it is received.

Strengthened and Supported Affinity Group Program. As described above under *Essential Element D Proactive Prevention* the CFTC continued to support and strengthen its Affinity Group Program by holding several observance month programs as well as planning the launch of a new Veterans' Affinity Group.

Hired Key Staff. Though the Diversity Manager position was vacant throughout nearly three fourths of FY19, the CFTC succeeded in onboarding a new full-time Diversity Manager in late June of 2019. The position is housed in the CFTC's OMWI office and will increase the capacity of that office and the agency to maintain a model EEO program, identify and address potential barriers to equal employment opportunity, provide trainings, and promote an organizational culture that values diversity and inclusion. Additionally, the CFTC filled another position that had been vacant-- the Agency's Learning Officer, housed in the CFTC's Human Resources Branch, on boarded in July of 2019. The Learning Officer will help ensure that individuals have the training and resources they need to equitably access promotions and that leaders are trained in practices that promote equal opportunity, diversity, and inclusion.

Held Focus Group Meetings with Agency Affinity Groups. After onboarding, the Diversity Manager planned and executed introductory focus group meetings with affinity group leaders to ask them about perceived barriers to equal opportunity that their members may have faced. Input from those meetings, along with other feedback collected from agency stakeholders, will be incorporated into the FY20 MD-715 report.

Furthered Disability Employment. To promote the recruitment, hiring, retention and advancement of people with disabilities, the CFTC planned and executed a campaign to resurvey the workforce's disability status by sending out an Agency all email with instructions on how to self-identify as a person with a disability, distributing fliers in the Agency's lobby, and passing out candy to raise awareness. Additionally, OMWI's Diversity Manager developed and delivered a training *Disability 101: Promoting Access and Inclusion* and researched disability employment organizations that may be targeted for recruitment.

Diversity Legislative Proposal. As described above, Commissioner Rostin Behnam developed legislative recommendations that were introduced in House Resolution 4257 that would bring the CFTC under the diversity mandates of Section 342 of the 2010 Dodd-Frank Act, which requires covered agencies to, for example: 1) assess the diversity policies and practices of their regulated entities; and 2) develop and implement standards and procedures to ensure, to the maximum extent possible, the fair inclusion and utilization of minorities, women, and minority-owned and women-owned businesses in all business and activities of the agency at all levels, including in procurement, insurance, and contracts. The legislation would also establish a paid internship program for students from 1890's land grant institutions, which would diversify the CFTC's applicant pipeline. An update on the status of this proposal will be included in the FY20 MD-715 report.

EXECUTIVE SUMMARY: PLANNED ACTIVITIES

In FY20 and FY21, the CFTC plans to complete the following planned activities. However, the execution of these activities is subject to the availability of funds.

Monitor pending legislation, policies, and procedures. OMWI will closely monitor the Human Resources Branch's update of their Reasonable Accommodation and Personal Assistance Services policy and procedures as well as their Anti-Harassment policy and procedures. These will be posted on the CFTC public website once they are finalized. The CFTC will also monitor the legislative proposal House Resolution 4257 to ensure that the agency is prepared to implement its mandates should it pass and be signed into law.

Launch an interoffice barrier analysis working group. In FY20, the CFTC will launch an internal, interoffice barrier analysis working group led by OMWI's Diversity Manager and consisting of representatives from the Human Resources Branch, mission-critical Divisions, and senior leadership to examine potential barriers to equal employment opportunity. The group will utilize the EEOC's publication "Barrier Analysis: Questions to Guide the Process" to manage their work and will present their resulting recommendations to CFTC leadership.

Strengthen Affinity Groups to achieve diversity, inclusion, and EEO objectives. The OMWI office will work with the Affinity Group Leaders and other agency stakeholders to identify how CFTC can best support the Affinity Groups to promote professional development, mentorship, networking, recruitment, and a culture of inclusion. As discussed above, a new Veterans Affinity Group will launch in FY20. OMWI will seek to collaborate with the Veterans' group in particular to achieve its disability employment goals.

Deliver new training. In FY20, OMWI will collaborate with the Human Resources Branch's Learning Officer to develop and deliver an agency-wide training *Diversity in the Legal Profession: Busting Cognitive and Structural Biases*. This training will allow participants to fulfill the Diversity and Inclusion Continuing Legal Education Requirements for Missouri, Illinois, and New York. The training will cover cognitive and structural biases, provide examples of how they manifest in the legal profession, propose action items that every person can take to address them, and connect the importance of diversity and inclusion to the Agency's mission.

Engage the new Chief Human Resources Officer. The CFTC onboarded a new Chief Human Resources Officer (CHCO) during FY20. The OMWI office will ensure that the new CHCO is updated on the pending requirements and recommendations that fall under the CHCO's purview in this report, including: 1) the status of the reasonable accommodation, personal assistance services, and anti-harassment policies and procedures; 2) the CHCO's role in regards to the agency's diversity-related professional development and recruitment objectives; and 3) the need for improved workforce data collection to meet the EEOC's requirements as well as other diversity-related data collection needs.

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

[Redacted] am the
(Insert Name Above) (Insert official title/series/grade above)

Principal EEO Director/Official for

[Redacted]
(Insert Agency/Component Name above)

The agency has conducted an annual self-assessment of Section 717 and Section 501 programs against the essential elements as prescribed by EEO MD-715. If an essential element was not fully compliant with the standards of EEO MD-715, a further evaluation was conducted and, as appropriate, EEO Plans for Attaining the Essential Elements of a Model EEO Program, are included with this Federal Agency Annual EEO Program Status Report.

The agency has also analyzed its work force profiles and conducted barrier analyses aimed at detecting whether any management or personnel policy, procedure or practice is operating to disadvantage any group based on race, national origin, gender or disability. EEO Plans to Eliminate Identified Barriers, as appropriate, are included with this Federal Agency Annual EEO Program Status Report.

I certify that proper documentation of this assessment is in place and is being maintained for EEOC review upon request.

Signature of Principal EEO Director/Official
Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.

Date

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 | 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 | |
| | 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 | | | 12/11/2019 (within 6 months of arrival of new Chairman) 12/11/2019 |
| | 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 statement also covers any other non-merit based factors. |

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Agency Self-Assessment Checklist

|  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 | |
| | 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 | 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 | |
| | A.3. The agency assesses and ensures EEO principles are part of its culture. | | | N/A | |
| 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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Essential Element: B Integration of EEO into the agency's Strategic Mission

|  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 | |
| | 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 | | | 08/05/2019 |
| | 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 | 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 | |
| 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 |
| B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions. | | | | | |
|  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 | |
| | 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's mission and is included in the 2020-2024 Strategic Plan under Strategic Goal 5. See Executive Summary for more details. |

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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 | |
| | 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 | 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 | |
| | 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 | 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 |
| | B.6. The agency involves managers in the implementation of its EEO program. | Yes | No | N/A | |
| | 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 | 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.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 | 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. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity. | | | | | |
| 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 | 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.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. | | | 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 | 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 biweekly 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 | 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 | |
| | D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year. | | | | |
| | 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 | 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 |
| | | D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.) | | | |
| | 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/WebPolicy/EEONoFearAct/index.htm |
| | 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 | | | |

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019

Agency Self-Assessment Checklist


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 FY19 was 9 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 | | | |

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Agency Self-Assessment Checklist

|  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 | |
| | 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 | | | |

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019



Agency Self-Assessment Checklist

|  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 | |
| 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)] | E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program. | 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 | | | |

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019

Agency Self-Assessment Checklist


|  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 | |
| | 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 | 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 | |
| | E.5. The agency identifies and disseminates significant trends and best practices in its EEO program. | | | | |
| | 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 | | | |
| Measures | F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions. | | | | |
| | 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 | | | 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.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 | | | |

Essential Element: Other

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019

Plan to Attain Essential Elements

PART H.1

| | |
|--|---|
| STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY: | 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)] |
|--|---|

The Agency's Human Resources Branch is unable to collect some of the data points needed for the MD-715 report. Please see Addendum: The CFTC's FY19 MD-715 Data Tables, which is submitted with this report for further information.

| | | |
|-------------------|--|--|
| OBJECTIVE: | <u>Date Objective Initiated:</u> Apr 10, 2020 | <u>Target Date For Completion Of Initiative:</u> Sep 30, 2021 |
| | Create systems needed to collected all data points required for the MD-715 report. | |

| | |
|-----------------------------|---------------------|
| Responsible Official | KerriLaine Prunella |
|-----------------------------|---------------------|

| | <u>Target Date</u> | <u>Planned Activity</u> |
|--------------------------|-----------------------|---|
| PlannedActivities | Apr 10, 2020 12:00 AM | The Human Resources Branch will work with its vendors and other agency stakeholders to implement systems to collect all data points required for the MD-715 report. |

| | |
|---|--|
| Report of Accomplishments and Modifications to Objective | |
|---|--|

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019

Plan to Eliminate Identified Barriers

PART I.1

STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:

Provide a brief narrative describing the condition at issue.
How was the condition recognized as a potential barrier?

Lower than expected representation of females as well as racial and ethnic minorities in senior level permanent positions. The participation rate for females in CT16+ permanent positions is 35% which is below the RCLF of 41%. Furthermore, only 19% of individuals in CT16+ permanent positions are racial and ethnic minorities compared to their representation in the RCLF at 27%. In contrast, there is a higher than expected representation of White males in permanent senior level positions: 54% of individuals in 16+ positions are White males compared to their representation in the RCLF of 46%. The largest gap between representation in CT16+ permanent positions and the RCLF exists for Hispanic employees: 0% of CT16+ permanent positions are filled by Hispanic employees, despite their representation in the RCLF at 6.5%. Positively, the representation of Black females in CT16+ positions increased from 2% in FY18 to 6% in FY19, which nears their representation in the RCLF of 7%. White women's representation in CT16+ positions is 27%, which is the same as their 27% representation in the RCLF. However, Asian American females representation in CT16+ positions is 2% compared to a RCLF of 3.61%. Notably, 0% of CT16+ graded individuals are Hispanic females, Native Hawaiian or Other Pacific Islander females, American Indian or Alaskan Native females, or Two or More Races females, though cumulatively the RCLF of those combined demographic categories is 4%.

STATEMENT OF BARRIER GROUPS:

- Barrier Group
- All Women
 - Hispanic or Latino Males
 - Hispanic or Latino Females
 - Black or African American Males
 - Black or African American Females
 - Asian Males
 - Asian Females
 - Native Hawaiian or Other Pacific Islander Males
 - Native Hawaiian or Other Pacific Islander Males
 - Native Hawaiian or Other Pacific Islander Females
 - American Indian or Alaska Native Males
 - American Indian or Alaska Native Males
 - American Indian or Alaska Native Females
 - Two or More Races Males
 - Two or more Races Females

BARRIER ANALYSIS:

Provide a description of the steps taken and data analyzed to determine cause of the condition.

STATEMENT OF IDENTIFIED BARRIER:

Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.

Lack of funding to implement a comprehensive formal development strategy for individuals at the mid-career and senior level.

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019

Plan to Eliminate Identified Barriers

| <p>Objective</p> | <p>Eliminate potential barriers to career advancement for internal candidates to senior-level positions.</p> <table border="1" data-bbox="760 336 1559 489"> <tr> <td data-bbox="760 336 922 394">Date Objective Initiated</td> <td data-bbox="922 336 1559 394">Oct 1, 2016</td> </tr> <tr> <td data-bbox="760 394 922 489">Target Date For Completion Of Objective</td> <td data-bbox="922 394 1559 489">Sep 30, 2024</td> </tr> </table> | | Date Objective Initiated | Oct 1, 2016 | Target Date For Completion Of Objective | Sep 30, 2024 | | | | | | | | | | | | |
|---|---|--|---------------------------------|--------------------|---|--------------|---|--------------|---|--------------|--|--------------|--|--------------|---|--------------|---|--------------|
| Date Objective Initiated | Oct 1, 2016 | | | | | | | | | | | | | | | | | |
| Target Date For Completion Of Objective | Sep 30, 2024 | | | | | | | | | | | | | | | | | |
| <p>Responsible Officials</p> | <p>Sarah Summerville OMWI Director KerriLaine Prunella Chief Human Capital Officer</p> | | | | | | | | | | | | | | | | | |
| <p>Planned Activities Toward Completion of Objective</p> | <table border="1" data-bbox="711 569 1559 1186"> <thead> <tr> <th data-bbox="711 569 1312 611">Planned Activity</th> <th data-bbox="1312 569 1559 611">Target Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="711 611 1312 695">Partner with Women at Work (WAW) affinity group to conduct a panel discussion about career advancement in the financial industry.</td> <td data-bbox="1312 611 1559 695">Apr 30, 2018</td> </tr> <tr> <td data-bbox="711 695 1312 751">Conduct unconscious bias briefing for executives and training for employees</td> <td data-bbox="1312 695 1559 751">Jul 30, 2018</td> </tr> <tr> <td data-bbox="711 751 1312 814">Validate data in Table A11, Internal Selections for Senior-Level Positions, to use FY16 as baseline data.</td> <td data-bbox="1312 751 1559 814">Sep 28, 2018</td> </tr> <tr> <td data-bbox="711 814 1312 852">Launch an inter-office barrier analysis working group.</td> <td data-bbox="1312 814 1559 852">Sep 30, 2020</td> </tr> <tr> <td data-bbox="711 852 1312 936">Hire a new full time employee to continue to conduct a robust barrier analysis and monitor selections to senior grade positions (Table A11).</td> <td data-bbox="1312 852 1559 936">Sep 30, 2020</td> </tr> <tr> <td data-bbox="711 936 1312 1073">Create and start to implement a plan to strengthen the Agency's Affinity Groups to best support professional development, mentorship, networking, recruitment, and a culture of inclusion. Partner with the Veterans' affinity group on at least one event to further disability inclusion.</td> <td data-bbox="1312 936 1559 1073">Sep 30, 2021</td> </tr> <tr> <td data-bbox="711 1073 1312 1186">Create and deliver new agency-wide training "Diversity in the Legal Profession: Busting Cognitive and Structural Biases" to allow participants to receive Continuing Legal Education Credits.</td> <td data-bbox="1312 1073 1559 1186">Sep 30, 2020</td> </tr> </tbody> </table> | | Planned Activity | Target Date | Partner with Women at Work (WAW) affinity group to conduct a panel discussion about career advancement in the financial industry. | Apr 30, 2018 | Conduct unconscious bias briefing for executives and training for employees | Jul 30, 2018 | Validate data in Table A11, Internal Selections for Senior-Level Positions, to use FY16 as baseline data. | Sep 28, 2018 | Launch an inter-office barrier analysis working group. | Sep 30, 2020 | Hire a new full time employee to continue to conduct a robust barrier analysis and monitor selections to senior grade positions (Table A11). | Sep 30, 2020 | Create and start to implement a plan to strengthen the Agency's Affinity Groups to best support professional development, mentorship, networking, recruitment, and a culture of inclusion. Partner with the Veterans' affinity group on at least one event to further disability inclusion. | Sep 30, 2021 | Create and deliver new agency-wide training "Diversity in the Legal Profession: Busting Cognitive and Structural Biases" to allow participants to receive Continuing Legal Education Credits. | Sep 30, 2020 |
| Planned Activity | Target Date | | | | | | | | | | | | | | | | | |
| Partner with Women at Work (WAW) affinity group to conduct a panel discussion about career advancement in the financial industry. | Apr 30, 2018 | | | | | | | | | | | | | | | | | |
| Conduct unconscious bias briefing for executives and training for employees | Jul 30, 2018 | | | | | | | | | | | | | | | | | |
| Validate data in Table A11, Internal Selections for Senior-Level Positions, to use FY16 as baseline data. | Sep 28, 2018 | | | | | | | | | | | | | | | | | |
| Launch an inter-office barrier analysis working group. | Sep 30, 2020 | | | | | | | | | | | | | | | | | |
| Hire a new full time employee to continue to conduct a robust barrier analysis and monitor selections to senior grade positions (Table A11). | Sep 30, 2020 | | | | | | | | | | | | | | | | | |
| Create and start to implement a plan to strengthen the Agency's Affinity Groups to best support professional development, mentorship, networking, recruitment, and a culture of inclusion. Partner with the Veterans' affinity group on at least one event to further disability inclusion. | Sep 30, 2021 | | | | | | | | | | | | | | | | | |
| Create and deliver new agency-wide training "Diversity in the Legal Profession: Busting Cognitive and Structural Biases" to allow participants to receive Continuing Legal Education Credits. | Sep 30, 2020 | | | | | | | | | | | | | | | | | |

Commodity Futures Trading Commission

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Plan to Eliminate Identified Barriers

Report of Accomplishments and Modifications to Objective

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.

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.

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.

Though the Diversity Manager position was vacant throughout nearly three fourths of FY19, the CFTC succeeded in onboarding a new full-time Diversity Manager in late June of 2019. The position is housed in the CFTC's OMWI office and will increase the capacity of that office and the agency to maintain a model EEO program, identify and address potential barriers to equal employment opportunity, provide trainings, and promote an organizational culture that values diversity and inclusion. After onboarding, the Diversity Manager planned and executed introductory focus group meetings with affinity group leaders to ask them about perceived barriers to equal opportunity that their members may have faced. Input from those meetings, along with other feedback collected from agency stakeholders, will be incorporated into the FY20 MD-715 report.

Additionally, the CFTC filled another position that had been vacant-- the Agency's Learning Officer, housed in the CFTC's Human Resources Branch, on-boarded in July of 2019. The Learning Officer will help ensure that individuals have the training and resources they need to equitably access promotions and that leaders are trained in practices that promote equal opportunity, diversity, and inclusion.

OMWI also organized multiple events and supported a community of 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 @ Work. As mentioned above, OMWI and the Chairman's Office also planned for the launch of a new Veterans affinity group. Affinity groups played an important role in FY19 in promoting a sense of belonging and providing networking and leadership development opportunities for staff. For example, Women @ Work hosted a book club and regular mentorship coffee-hours for members; the Association of Asian Americans and Pacific Islanders planned agency-wide Lunar New Year and Diwali Celebrations and hosted a tea for new interns. OMWI worked with the affinity groups during FY19 to co-sponsor agency-wide observance month events that brought a diverse array of accomplished speakers from throughout the financial sector to the Commission to speak and provide guidance and mentorship to staff.

Commodity Futures Trading Commission

For period covering October 1, 2018 to September 30, 2019

Plan to Eliminate Identified Barriers

PART I.2

STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:

Provide a brief narrative describing the condition at issue.
How was the condition recognized as a potential barrier?

Hispanic or Latino males participate at 1.49% in the permanent workforce as compared to a RCLF of 3.4%. Hispanic or Latina females participate at 1.19% in the permanent workforce as compared to a RCLF of 3.1%.

STATEMENT OF BARRIER GROUPS:

Barrier Group

Hispanic or Latino Males
Hispanic or Latino Females

BARRIER ANALYSIS:

Provide a description of the steps taken and data analyzed to determine cause of the condition.

STATEMENT OF IDENTIFIED BARRIER:

Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.

FY 2018 Hiring Freeze; Lack of agency-wide diversity recruitment strategy, as well as lack of staff and budget dedicated to diversity recruitment.

Objective

Remove barriers to the workplace for Hispanic male and female employees.

| | |
|--|--------------|
| Date Objective Initiated | Jul 19, 2019 |
| Target Date For Completion Of Objective | Sep 30, 2024 |

Responsible Officials

Sarah Summerville Director, OMWI
KerriLaine Prunella Chief Human Capital Officer

Planned Activities Toward Completion of Objective

| 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, 2021 |
| Launch an interoffice barrier analysis working group. | Sep 30, 2020 |
| Create and deliver new agency-wide training "Diversity in the Legal Profession: Busting Cognitive and Structural Biases" to allow participants to receive Continuing Legal Education Credits. | Sep 30, 2020 |

Report of Accomplishments and Modifications to Objective

The CFTC hired a new full-time Diversity Manager in its OMWI office. The position is housed in the CFTC's OMWI office and will increase the capacity of that office and the agency to maintain a model EEO program, identify and address potential barriers to equal employment opportunity, provide trainings, and promote an organizational culture that values diversity and inclusion. After onboarding, the Diversity Manager planned and executed introductory focus group meetings with affinity group leaders, including the leaders of the Hispanic Affinity Group, to ask them about perceived barriers to equal opportunity that their members may have faced. Input from those meetings, along with other feedback collected from agency stakeholders, will be incorporated into the FY20 MD-715 report. The agency held a Hispanic Heritage Month event featuring speaker Sergio Rodriguera Jr., a financial technology leader.

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 |

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.

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 dclhelpdesk@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: 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.

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.

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 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 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 OPPORTUNITIES

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 PWTB 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 (PWTB) Answer N/A
- b. Selections (PWTB) 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 PWTB 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 (PWTB) 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.

2. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTB 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 (PWTB) Answer No

The CFTC did not award QSI's in FY 2019.

3. If the agency has other types of employee recognition programs, are PWD and/or PWTB 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 (PWTB) 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 PWTB among the qualified internal applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. SES
 - i. Qualified Internal Applicants (PWTB) Answer 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 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

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

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

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 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 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 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).

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.