EEOC FORM 715-02 PART A - D	*U.S. Equal Employment Opportunity Commission* FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

HHS Food and Drug Administration	For period covering October 1, 2017 to September 30, 2018

PART A Department or Agency Identifying Information

1.	**Agency**			**1.**	HHS Food and Drug Administration		
1.a	2nd level reporting component				Office of Equal Employment Opportunity		
2.	Address			**2.**	10903 New Hampshire Ave		
3.	City, State, Zip Code			**3.**	Silver Spring, MD 20993		
4.	Agency Code	**5.**	FIPS code(s)	**4.**	HE36	**5.**	112

PART B Total Employment

1.	Enter total number of permanent full-time and part-time employees	**1.**	14766
2.	Enter total number of temporary employees	**2.**	1441
3.	**TOTAL EMPLOYMENT [add lines B 1 through 2]**	**4.**	16207

PART C

Agency Official(s) Responsible For Oversight of EEO Program(s)

Title Type	Name	Title
Head of Agency	Norman (Ned) Sharpless	Acting Commissioner
Head of Agency Designee	Amy Abernethy	Principal Deputy Commissioner
Principal EEO Director/Official	Carol Moulton	Director EEO
Affirmative Employment Program Manager	Carol Moulton	EEO Director
Complaint Processing Program Manager	Garren Diggs	Complaints Processing Team Lead
Diversity & Inclusion Officer	Bishop Buckley	Director of Diversity and Inclusion
Hispanic Program Manager (SEPM)	Corwyn Alvarez	Hispanic Program Manager
Women’s Program Manager (SEPM)	Joyce Washington	Women's Program Manager
Disability Program Manager (SEPM)	Corwyn Alvarez	Disability Program Manager
Special Placement Program Coordinator (Individuals with Disabilities)	Anaury Angeles	Program Coordinator for Individuals with Disabilities
Reasonable Accommodation Program Manager	Robert Thomas	Reasonable Accommodation Program Team Lead
Anti-Harassment Program Manager	Shalisha Bazemore	Anti-Harassment Program Manager
ADR Program Manager	Lula Gray	Deputy Ombudsman
Compliance Manager	Carol Moulton	EEO Director
Principal MD-715 Preparer	John Nelson	Management Analyst
Other EEO Staff	Sandra Hewitt	EEO Specialist (Formal)
Other EEO Staff	LaToya Kess	EEO Specialist (Informal)
Other EEO Staff	Daniel Houston	EEO Specialist (Informal)
Other EEO Staff	Curtis Edwards	EEO Specialist (Formal)

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	
Alternative Dispute Resolution Procedures	Y	Y	
Organization Chart	Y	Y	
Anti-Harassment Policy and Procedures	Y	Y	
Reasonable Accommodation Procedure	Y	Y	
Agency Strategic Plan	Y	Y	
EEO Policy Statement	Y	Y	
EEO Strategic Plan	N	Y	
Diversity Policy Statement	N	N	
Federal Equal Opportunity Recruitment Program (FEORP) Report	N	N	
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	

EXECUTIVE SUMMARY: MISSION

The mission of the Food and Drug Administration (FDA), is to: 1) protect the public health; 2) advance the public health by speeding innovation; 3) help the public get accurate, science-based information about the products we regulate; 4) regulate tobacco products; and 5) help prevent and respond to emerging public health threats.

As we go about the complex tasks of regulating products and technologies that affect virtually every American and that comprise 20-25% of our national economy, we aim to be representatives and advocates of the diverse country we serve. FDA is headquartered in Silver Spring, Maryland and is comprised of seven centers and two offices. The Office of Regulatory Affairs (ORA) includes nine offices and 13 field laboratories located strategically across the United States and Puerto Rico, to support FDA's mission. FDA has established a permanent in-country presence in China, India, Europe, Latin America, the Middle-East, North Africa and Sub-Saharan Africa to better safeguard our food and medicine supply.

The FDA strives to attract, hire and retain a diverse, high-quality workforce where employees use their skills and abilities to accomplish the Agency's mission.

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

The Food and Drug Administration (FDA), Office of Operations (OO) has undertaken a wide-ranging strategic planning effort focused on enhancing its strategic partnership with customers, anticipating their needs and balancing competing priorities to support effective mission accomplishment. The OO vision statement is to support delivery of FDA's mission by being:

- A stronger strategic partner to our customers, helping them solve problems and proactively anticipate challenges;
- A more collaborative, trusting, and capable team that shares knowledge, holds ourselves accountable and celebrates our successes;

An organization with the management and technical processes needed to reliably and consistently execute at every level.

EXECUTIVE SUMMARY: WORKFORCE ANALYSES

The FDA Total workforce. As of September 30, 2018, FDA has 16, 207 employees, a net increase of 59 employees or 0.46%.
The FDA workforce is 91.1% permanent in FY18, an increase of 0.04% over FY17.
The FDA temporary workforce is 8.9% of all FDA employees, a slight decrease of 7 employees from FY17.

The FDA Workforce by race and gender. When compared to the 2010 Civilian Labor Force (CLF) benchmarks, The FDA permanent workforce has low participation rates for several under-represented groups. However, those numbers are expected improve in FY19 through increased, targeted outreach & recruitment efforts for all under-represented groups.

The resource of this report item is not reachable.

FDA Veterans decreased from 1,293 in FY17 to 1272 in FY18, a 1.6% reduction, However, Commissioned Corps Officers increased from 950 in FY17 to 1153 in FY18, a 21.4% increase(+203).

Commissioned Corps Officers increased from 950 in FY17 to 1,153 in FY18, an increase of 203 people, or 21.4%. CC staffs are 7.8% of all permanent employees, in FY18, as compared to 6.5%, in FY17.

People With Disabilities (PWD) increased by 23 people or 0.13%. FDA currently has 865 PWDS in the permanent workforce on a goal of 12.00% (see table below)

People With Targeted Disabilities (PWTD) increased by 7 people or a 0.05% increase from FY17. (See table below)

FDA Disability Data for FY18

	Goal (Numeric)	FY18	Difference #			Goal %
ALL (Permanent)	**14766**	**14766**	**0**		**ALL (Permanent)**	**100.00%**
No Disability	**12699 (86% of all Perm)**	13,367	+668		**No Disability**	**86.00%**
PWD	**1772 (2% of all Perm)**	865	-907		**PWD**	**12.00%**
PWTD	**295 (2% of alll Perm)**	153	-142		**PWTD**	**2.00%**
Not Ientified	**295 (25 of all Perm)**	534	239		**Not Ientified**	**2.00%**

Although FDA made progress in FY18, a review of PWD's and PWTD's by grade (B-4-1) indicates that more work is required to increase the numbers of PWD's and PWTD's in the higher grades, to help increase the numbers of people in the applicant pools for higher-graded positions at FDA.

The Center for Tobacco Products (CTP) corporate recruitment team and strategic recruitment team partnered together to provide education and resources to hiring managers using Schedule A authority. Hiring managers can review resumes for candidates of interest and contact them directly for an interview after human resources has determined their eligibility. The Career Profile system is a cloud based resume bank program where Schedule A candidates can voluntarily upload their resume for the CTP Corporate Recruitment team to circulate among hiring managers. The program is available to the public at the CTP jobs website, www.fda.gov/ctpjobs.

CTP has made significant efforts to assist staff through the reasonable accomodation process, to ensure the work environment is inlcusive and accommodating. CTP provides interpreters for staff who are deaf, specific space arrangements for those who need a quiet or other work space accomodation, and allows the use of telework and flexible work schedules.

FDA STATS

- The average FDA employee is a GS-13 with 14 years of federal service,
- with a salary of $109,104 and,

- is approximately 47 years old.
- The permanent FDA workforce is 60.77% female.
- 12.97% of the FDA workforce is comprised of supervisors and managers.
- 40.78% of the FDA workforce is over 50.
- 59.22% ofthe FDA workforce is betwen 18-49.
- African Americans were involuntarily separated (37.5% of all involuntary separations) at rates that exceed their representation rate (21.38%).
    - OEEO is conducting an analysis of the separations data, but lacks the exit interview data by Race and National Origin (RNO), gender and age.

Applicant Flow Data FY18 from USA Jobs

	Applied	Ineligible	Eligible not Ref	Referred	Selected	Applied	Ineligible
Total Int Comp Prom.	**20,066**	**11,424**	**1,414**	**6,918**	**655**	**100.00%**	**56.93%**
Males	**6,562**	**3987**	**406**	**2,169**	**192**	**32.70%**	**60.76%**
Females	**9,108**	**5,320**	**724**	**3,064**	**298**	**45.39%**	**58.41%**
Total, Omitted Gender & Race	**4,395**	**2,289**	**299**	**1,808**	**165**	**21.90%**	**52.08%**
% Hispanic M	**956**	**580**	**48**	**328**	**27**	**4.76%**	**60.67%**
% Hispanic F	**1,034**	**615**	**61**	**358**	**28**	**5.15%**	**59.48%**
Omitted	**6**	**5**	**1**	**0**	**2**	**0.03%**	**83.33%**
% White M	**2,457**	**1,404**	**147**	**906**	**95**	**12.24%**	**57.14%**
% White F	**2,275**	**1,250**	**153**	**872**	**131**	**11.34%**	**54.95%**
Omitted	**7**	**2**	**1**	**5**	**2**	**0.03%**	**28.57%**
% Black M	**2,005**	**1,318**	**125**	**562**	**28**	**9.99%**	**65.74%**
% Black F	**4,393**	**2,598**	**412**	**1,383**	**89**	**21.89%**	**59.14%**
Omitted	**7**	**3**	**1**	**3**	**2**	**0.03%**	**42.86%**
% Asian M	**873**	**525**	**73**	**275**	**40**	**4.35%**	**60.14%**
% Asian F	**940**	**592**	**63**	**285**	**38**	**4.68%**	**62.98%**
Omitted	**2**	**1**	**1**	**0**	**2**	**0.01%**	**50.00%**
% Pac Islander M	**11**	**7**	**1**	**3**	**0**	**0.05%**	**63.64%**
% Pac Islander F	**24**	**18**	**0**	**6**	**0**	**0.12%**	**75.00%**
Am Ind/Ak Nat M	**77**	**39**	**1**	**37**	**1**	**0.38%**	**50.65%**
Am Ind/Ak Nat F	**67**	**45**	**7**	**15**	**1**	**0.33%**	**67.16%**
2 or more races M	**88**	**53**	**7**	**28**	**0**	**0.44%**	**60.23%**
2 or more races F	**137**	**80**	**13**	**44**	**2**	**0.68%**	**58.39%**
Total, Omitted race	**4,707**	**2,289**	**299**	**1,808**	**167**	**23.46%**	**48.63%**
	20,066	**11,424**	**1,414**	**6,918**	**655**	**100.00%**	**56.93%**

EXECUTIVE SUMMARY: ACCOMPLISHMENTS

FDA hosted new two STEM events in FY18. The first event, held in June 2018, was a joint effort with the University of Maryland Baltimore County (UMBC), where 60 UMBC Meyerhoff students visited FDA, Center for Drug Evaluation and Research, Office of Translational Science. Also during the week of July 23-27, 2018, FDA collaborated with Booz Allen Hamilton and Girls, Inc. to host 51 STEM firls for an event titled "STEM Girls 4 Social Good" and participated in interactive group activities (i.e., coding, lab discovery game, internships, collaborative research, and seminar exchanges).

Progress on barriers identified in FY17.

Barrier #1 Less than expected particpation rates for Black males and females in the GS-15 and SES ranks. Tables reviewed are A-1 and A-4-1. Black males increased as a percentage of SES, but reduced slightly as a percentage of GS15's even though they increased by one person in FY18. Black females increased as a percentage of GS-15's and as a percentage of SES, however, they remain well below their representation rate in the two upper grades.

	Black Males	Black Females
FY17 GS15's	3.13%	7.43%
FY18 GS-15's	**3.02%**	**7.53%**
FY17 SES	6.25%	6.25%
FY18 SES	**8.62%**	**6.90%**

Posted advertisements at HBCUs such as University of Maryland, Eastern Shore and Kentucky State University.

Barrier #2 Less than expected particpation rates for Hispanic males and females in major occupations at FDA. (Permanent Hispanic males increased by 3 people to 261, an increase of.02% to 1.77% on a CLF goal of 5.17%) Permanent Hispanic females decreased by 4 people to 346, a decrease of 0.04% to 2.34% on a CLF goal of 4.79%. Tables reviewed are A-1 and A-4-1 and A-6. AFD Data.

Continue to use representative employment hashtag #CVMCareers and the Spanish translation of the phrase #CVMCarreras with all job-related Twitter communications.

Barrier #3 Less than expected participation rates for White males and females in major occupations at FDA. Permanent White males and females are below CLF by 14.22% and 2.79% respectively (however they are well represented in GS-13 to SES). Tables reviewed are A-1 and A-4-1 and A-6.

Barrier #4 Less than expected participation rates for Native Hawaiians and Pacific Islander males and females in major occupations at FDA. (FDA has no data for Pacific Islanders in FY18)

Barrier #5 Less than expected participation rates for American Indian and Alaskan Native males and females in major occupations at FDA. (Permanent American Indian and Alaskan Native males decreased by two people to 38, a reduction of 0.01%, in FY18. (Permanent America Indian and Alaskan Native females increased bytwo people to 47, a 0.01% increase). Tables reviewed are A-1 and A-4-1 and AFD Data.

Barrier #6 Less than expected participation rates for males and females of two or more races in major occupations at FDA. Permanent males of two or more races reamin unchanged at 2 people, or 0.01% of the permanent workforce, while Permanent females of two or more races remain at 10 people or 0.07% of the permanent workforce. Tables reviewed are A-1 andA-4-1 and A-6. AFD Data.

Barrier #7 Less than expected participation rates for individuals with PWD and PWTD (In FY18, s) Tables reviewed are A-1 and A.

Continue using non-competitive hiring authorities such as People with Disabilities Hiring Authority and the 30% Disabled Veterans Appointing Authority. FDA hired 47 employees using Schedul A hiring Authority in FY18. 55% of Schedule A hires (26) reported disabilities and 6.38% (3) had targeted disabilities. Overall, 51 PWD's and 9 PWTD's were hired in FY18 for disability hiring rates of 9.03% and 1.59% respectively for permanent hires.

EXECUTIVE SUMMARY: ACCOMPLISHMENTS

CVM's Strategic Recruitment Management Process provides an avenue by which hiring managers are educated on federal recruitment, hiring, and selection to include specifics on schedule A and veterans hiring flexibilities and preference procedures. In FY18, CVM's recruitment advisors continued to strategize with hiring managers (as part of the Center's Strategic Recruitment Management Process) on the use of federal hiring flexibilities that advance efforts to recruit and hire people with disabilities.

Continue using the Center's automated Career and Student Profile System to complement its participation at hiring/career events. The CVM Career and Student Profile System allows the Center's recruitment staff to communicate in real-time with minority and/or underrepresented communities, veterans, and people with disabilities as to available job and intern opportunities within the organization. The Profile System affords the Center the ability to systematically store the credentials of minority, veteran, and disabled groups and notify Center hiring managers of qualified candidates for their vacancies.

FDA employees have attended and hosted meetings with Blacks in Government to ensure successful Diversity and Inclusion programs. CTP created an Interviewing Techniques document on the Supervisor's Toolkit SharePoint page to increase the understanding of proper interviewing techniques according to the Office of Personnel Managment rules and Office of Human Resources guidance.

CVM promotes the use of non-competitive hiring authorities such as People with Disabilities Hiring Authority and the 30% Disabled Veterans Appointing Authority. CVM for developed an automated Career and Student Profile System to complement its participation at hiring/career events. This system allows recruitment staff to communicate in real-time with minority and/or underrrepresented communities, veterans, and people with disabilities for jobs and internship opportunities within the agency.

Barrier #8 Less than expected participation rates for Asian males and females in the SES ranks. (There was 1 male Asian SES in FY17 and 1 in FY18, however, Asian males increased as a ppercentage of SES'ers due to a smaller SES pool. (+0.16%) In FY18, Asian females also increased as a percentage of the SES pool (0.32%) however their numbers also remain unchanged (2) from FY17. Tables reviewed are A-1 and A-4-1 and A-6 and AFD Data.

	Asian M	Asian F
SES	1.72%	3.45%
Permanent	8.05%	10.70%
CLF	1.97%	1.93%

During FY18, FDA conducted approximately 37 Diversity and Inclusion Trainings for 1,700 employees. Training suffered in FY18 due lack of staffing.

EXECUTIVE SUMMARY: PLANNED ACTIVITIES

OEEO attempted to modify the exit survey in FY18, but was unsuccessful. Efforts have been re-doubled in FY19 to add demographic data to the exit sureys to help FDA determine why certain groups within the agency are separting at high rates, and to help identify triggers and barriers to equal employment opporunities. OEEO is working with OHR to accomplish the modifciations in FY19.

FDA will continue to attend in-person and virtual career fairs targeting African American communities, minority serving institutions, professional associations, etc. FY18 events included Diversity Virtual Career Fair (October 2017), Bilingual Latino & Diversity Career Fair (October 2017), STEM Diversity Virtual Fair (March 2018), and HireDC Alumni Only Career Fair (April 2018).

In FY20, FDA will host 5 interns through the Hispanic Association of College and Universities (HACU) program. FDA is in the process of developing MOUs with HACU, American Indian Science and Engineering Society (AISES), Tuskegee University, Federally Employed Women (FEW), and BWISE (Black Women in Science and Engineering).

A BPA (Blanket Purchase Agreement) is being finalized for FY20 to assist employees who have identified their accents as a barrier to advancing in their careers.

FDA is developing a training for hiring managers on understanding and avoiding biases during the hiring process. Employees are actively recruting Veterans and hiring authorities such as Schedule A.

NCTR plans to continue to leverage Schedule A and other available direct hire appointment authorities to increase the representation of PWD and PWTD. In FY18, NCTR continued to build strategic partnership with the Little Rock Air Force Base by participating in 2 job fairs that hosted over 300 participants many of whom were disabled veterans.

The need for qualified employees in STEM occupations is on the rise in government agencies such as FDA. There is increased competition to fill positions. STEM job growth is expected to outpace non-STEM growth throughout 2024, according to the US Department of Commerce. FDA is focusing on increased outreach and recruitment activities to attract qualified STEM candidates.

FDA recognizes the need to have more qualitative and quantitative Diversity and Inclusion (D&I) measurements. While the Centers are taking on expanded roles in D&I, OEEO will continue to provide overarching goals, guidance, support and information. To accomplish this in FY20, OEEO is preparing to revise its D&I council charters.

FDA is expanding outreach inititatives that are diverse and inclusive to gain a better representation of people with disabilities and that represent the general population.

CERTIFICATION of ESTABLISHMENT of CONTINUING EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

_____ am the

(Insert Name Above) (Insert official title/series/grade above)

Principal EEO Director/Official for _____

(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

Agency Self-Assessment Checklist

Essential Element: A Demonstrated Commitment From agency Leadership

Compliance Indicator / Measures	A.1. The agency issues an effective, up-to-date EEO policy statement.	Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			The policy is generally updated with a few weeks of the start of the new fiscal year, unless revised, the previous policy document is reviewed and re-issued. 11/7/2018
A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.		X			

Agency Self-Assessment Checklist

Compliance Indicator / Measures	A.2. The agency has communicated EEO policies and procedures to all employees.	Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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, ll(A)]		X			http://inside.fda.gov:9003/EmployeeResource EqualEmployment DiscriminationCor ucm005762.htm
A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]		X			Policies are posted annually and training for managers and supervisors is on going.http://inside.fda.gov:9003/downloads/EmployeeResource EqualEmployment ReasonableAccom UCM208863.doc http://inside.fda.gov:9003/EmployeeResource EqualEmployment ReasonableAccom ucm252365.htm http://inside.fda.gov:9003/EmployeeResource EqualEmplo
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://inside.fda.gov:9003/EmployeeResource EqualEmployment ReasonableAccom ucm2004278.htm
A.2.c. Does the agency inform its employees about the following topics:					

Agency Self-Assessment Checklist

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			The EEO Policy is posted annually, and all new employees receive an introduction to the EEO process detailing how to use the EEO process. https://wayback.archive-it.org/7993/20180125073 https://www.fda.gov/AboutFDA/WorkingatFDA/EqualEmployment ucm397407.htm
A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	X			Policy and Procedures for Conflict Resolution are posted annually and are always available on the intranet site. Policy is reviewed and updated, at least annually, but the CPR group also hosts booths during conflict resolution week to advertise services to FDA employees. http://inside.fda.gov:9003/employee FDA policy on ADR.
A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	X			Annually.
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			It is covered in the FDA anti-harassment policy and New Supervisor and new employee orientation trainings.

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			Annually, and as requested. Staff developed a course on civility, and appropriate workplace behaviors that they deliver when requested or when a need for training has been identified within specific offices. There were 9 trainings requested in FY18.
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**
	A.3. The agency assesses and ensures EEO principles are part of its culture.	Yes	No	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			There are Five standing awards for Diversity and Inclusion at FDA: 3 issued from the commissioner and 2 by OEEO; 3 awards were issued for demonstration of excellence in Diversity and Inclusion principles, beyond OpDiv level awards, some of the centers offer awards to their managers supervisors and employees for excellence in Diversity and Inclusion. It is an element in every supervisors PMAP.
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			Viewpoint results are disseminated to all centers and managers for their areas and for FDA.

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

Agency Self-Assessment Checklist

Compliance Indicator / Measures	B.1. The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.	Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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		The EEO Director reports to the Chief Operations Officer, who reports to the Commissioner. There is no remediation plan. The agency does not plan to change this reporting relationship.
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			Jim Sigg, Chief Operating Officer
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			OEEO is attempting to obtain a more detailed and useful org chart for applicants and employees. http://inside.fda.gov:9003/OC/ssLINK/ucm393155 (the org chart is not currently available as it is being revised due to the re-organization).
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			Through regular Executive level meetings.
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			The SOA report was shared with senior management officials at Management Council meetings, and with Center Directors and other Executive Officers in Center Visit presentations.

Agency Self-Assessment Checklist

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			As it relates to OEEO and its budget and staffing.
Compliance Indicator / **Measures**	B.2. The EEO Director controls all aspects of the EEO program.	**Measure Has Been Met** Yes	No	N/A	**For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report**
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			The EEO Director coordinates with Center and OpDiv Executives.

Agency Self-Assessment Checklist

Compliance Indicator / Measures	B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.	Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			It is an evolving process. EEO is getting more involved in strategic planning and recruitment strategies.
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			Promoting a culture of inclusiveness, assessing and eliminating barriers to equal employment opportunity, ensuring equal access and reasonable accommodations, educating the workforce on the benefits of diversity to the missions, providing a vehicle for allegations of discriminatory conduct, facilitating the resolution of workplace grievances; and having a trained, competent, professional staff.

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
	B.4. The agency has sufficient budget and staffing to support the success of its EEO program.	Yes	No	N/A	
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			EEO staff has been reduced in recent years. Staffing levels are at a minimum for compliance (5) and Diversity and Inclusion (1). The self-assessment is conducted annually for program deficiencies, but is limited in scope.
B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]		X			FDA, through attrition and employees taking other positions, was reduced to 1 FTE and 3 PTE's for most of the year. However, in April of 2019, the RA program was re-aligned through the Office of Operations to include up to 5 FTE's with a program manager, and a Team Lead. Timeliness data for RA requests was not available at the time of this writing. OO managers are developing a plan.
B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]		X			FDA complies with all EEOC Orders, however, FDA does not control the FAD, payroll or Investigation processes.

Agency Self-Assessment Checklist

B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	X			FDA addressed each of the 8 currently identified barriers in FY17. Staff sought alternatives to identify and present barriers. Members of the Diversity and Inclusion Advisory Committee and the Diversity and Inclusion Steering Council were instrumental in identifying barriers in their discreet offices. Executive Officers received regular updates regarding barriers and suggestions for change.
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			Timely processing of EEO complaints, and timely counseling 93.1% (134 0f 144) of all counselings continue to be top priorities at FDA. Timeliness of Investigations improved in FY18. FDA does not control the FAD process or the investigation process. Approximately 65% of all ADR Mediations were contracted in FY18.

Agency Self-Assessment Checklist

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		FDA provided the EEO portion of the Supervisor 101 training for new supervisors. Currently underway is development of mandatory training for all agency staff. The training will be delivered remotely and successful completion will be required for continued usage of agency IT resources.
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			Currently there is one FDA EEO program that does monitor center activities and trends.
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			OEEO publishes required documents, policies and posters at least annually.
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			New complaint tracking system is under development.
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			FDA has held each of its commemorative programs . In FY18, however, it has done so with one FTE. FDA has utilized employees from other agencies on detail in order to provide services to special emphasis programs.
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			OEEO did not conduct a separate training in FY18, but anti-harassment is part of the EEO training.

Agency Self-Assessment Checklist

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			EEO is now part of the agency's working capital fund and is a separate line item.
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			EEO ensures that all counselors receive mandatory training.
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			EEO ensures that all counselors receive mandatory training.

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	
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			New supervisors and managers received training in FY18, however, policies and procedures along with rights and responsibilities for managers and supervisors are posted on the intranet and revised at least annually.
B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]		X			RA policies and procedures were shared with all managers and supervisors in FY18. Specific trainings were conducted, in addition to, the issuance of new policies and procedures.
B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]		X			The ant-harassment policy has been delegated to the Office of Human Resources. That office is currently developing policies and procedures.

Agency Self-Assessment Checklist

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			Managers are encouraged to expand upon and increase communication and interpersonal skills in their PMAP and mid-year reviews. Trainings are offered at no-cost through FDA University.
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			ADR is recommended at all new employee orientation trainings, but attendance is mandatory for all supervisory and managerial employees when ADR is selected by a complainant. The FDA Commissioner issues an annual policy statement encouraging FDA employees to utilize ADR and instructing managers on their responsibilities to fully participate with the process.

Agency Self-Assessment Checklist

Compliance Indicator / Measures	B.6. The agency involves managers in the implementation of its EEO program.	Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]		X			Senior Managers are members of the Diversity Council and plans are underway to further refine their roles. In addition, Leadership from at least one center participates in every special emphasis program.
B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]		X			EEO is partnering with more senior managers by expanding use of members of the Steering Committee (Diversity and Inclusion Steering Committee (DISC).
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			Senior managers from across FDA had input in the strategic plan for FY19-FY21. Members of the DISC and DIAC committees participated in formulating the plan.
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			More guidance and presence is needed from EEO. Training staff are at 0 FTE's currently in FY19.

Essential Element: C Management and Program Accountability

Compliance Indicator / **Measures**	C.1. The agency conducts regular internal audits of its component and field offices.	**Measure Has Been Met** Yes	No	N/A	**For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report**
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			EEO provides summaries on the workforce composition, EEO complaints, ADR usage, RA, Interpreting Services, Disability data for PWD and PWTD. Progress made towards achieving CLF benchmarks through hiring and separations, and trend analysis for bases and issues alleged. This data is provided to every center and to FDA Executives and Managers.
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			EEO Collects data from the Centers and offices on barrier analysis and their progress on eliminating identified barriers.
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			Supervisors and managers have been very responsive to requests from EEO. Many of the Center Executives requested information and advice on EEO, D & I and Conflict Resolution issues. One of the more popular new classes in FY18 was on Civility in the Workplace.

Agency Self-Assessment Checklist

Compliance Indicator / Measures	C.2. The agency has established procedures to prevent all forms of EEO discrimination.	Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			Policies and procedures are under development and will be posted on the Intranet.
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			Managers and supervisors are trained to apply corrective action to prevent or eliminate inappropriate conduct before it rises to the level of harassment. Policies and procedures are posted on the FDA Intranet.
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			The Anti-Harassment Program coordinator is not affiliated with the EEO office.
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			The harassment investigation procedures are posted on the FDA intranet.
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			Managers of both programs communicate at least quarterly.
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			The process and procedures are listed on the FDA intranet, and all reports of harassment are recorded and investigations are started within 10 days.
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			

Agency Self-Assessment Checklist

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			Policies and procedures for applying for and processing RA's are posted on the FDA intranet.
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			The RA program had a full-time team lead and 3 part-time staff in FY18.
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			The programs and managers are separate.
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			FDA's Disability Program Manager is responsible for ensuring that applicants receive reasonable accommodations during the application and placement processes.
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	No data was available at the time.
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			Processes and procedures are posted on the FDA Intranet.
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			https://intranet.hhs.gov/about-hhs/administrative-and-organizational-information/eeoco/personal-assistance-services-pas

Agency Self-Assessment Checklist

Compliance Indicator / Measures	C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.	Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			As of FY18, all managers and supervisors have at least one EEO & Diversity related performance element in their PMAP.
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			All managers are required to attend and participate in ADR if the employee elects ADR. Managers are also required to provide information to the EEO office, counselors, specialists, and investigators, any information required to process EEO complaints and investigations. http://inside.fda.gov:9003/employeeresources alternativedisputer policiesandproced
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			

Agency Self-Assessment Checklist

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			

Agency Self-Assessment Checklist

Compliance Indicator / Measures		Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
	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			Quarterly meetings were established in FY16 and continued through FY18 and into FY19.
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			Managers meet at least annually to evaluate all employee programs and processes.
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			BIIS data is available by the 15th of the following month. This database is searchable for all years that FDA has data. USAStaffing Applicant Flow Data and reports have improved but lacks detail to complete the MD-715 report (for managers, supervisors, and career development opportunities).

Agency Self-Assessment Checklist

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			However, the exit interview data is not complete. The current interviews and survey do not collect demographic data on race, age, national origin, or disability. EEO has requested that FDAU modify the exit survey to include this information to help provide a clearer report of who is separating and why.
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			Two STEM events were held at FDA in FY18. In June a joint effort with the University of Maryland Baltimore County (UMBC), 60 UMBC Meyerhuff students visited FDA/CDER/ Office of Translational Science. During the week of July 23-27, FDA collaborated with Booz Allen Hamilton and Girls , Inc. to host 51 STEM girls for an event titled "STEM Girls 4 Social Good".

Agency Self-Assessment Checklist

C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X			The EEO Training Manager and EEO staff, developed and refined several new training programs in FY18 including: Revised New Supervisor Orientation to include more information on RA Policies and procedures and manager responsibilities, and Vicarious Liability, Center Specific Trainings on Diversity & Inclusion, Unconscious Bias, and Civility in the workplace.
C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	X			In FY17, FDA identified (8) Barriers. In FY18, FDA continued developing and implementing plans to eliminate identified barriers. FDA has made progress on eliminating each of those barriers.
C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]	X			

Compliance Indicator / **Measures**	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.	**Measure Has Been Met** Yes	No	N/A	**For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report**
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			FDA uses the Douglas Factors.
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			Two (2) managers were disciplined in FY18.
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			

Agency Self-Assessment Checklist

Compliance Indicator / Measures	C.6. The EEO office advises managers/supervisors on EEO matters.	Measure Has Been Met: Yes	Measure Has Been Met: No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			The EEO office prepares reports for centers. These reports contain workforce demographics on: hires, separations, EEO complaint summaries, bases and issues (trends), STEM detail by grade and Occupation, and Race and National Origin, Veteran status, Commissioned Corps, Disability information, RA and Interpreting Services.
C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]		X			

Agency Self-Assessment Checklist

Essential Element: D Proactive Prevention

Compliance Indicator / **Measures**	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.	**Measure Has Been Met** Yes	No	N/A	**For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report**
D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]		X			EEO staff analyzed the A & B tables quarterly for changes, trends, and anomalies, EEO complaints, harassment complaints, grievances, hiring and separations data, awards, promotions, internal selections for senior level positions, grade, disability, and services requested.
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			All of the above, however, we did not use focus groups in FY18.
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			The DISC /DIAC survey asked "I am aware that FDA has strategies to attract, retain, and promote diverse employees and leaders", however, it did not ask for feedback for ideas on improvement. A request to re-design the survey, to include this question, and to add demographic questions, is being considered currently.

Agency Self-Assessment Checklist

Compliance Indicator / Measures	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)	Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]		X			FDA examines the A & B tables for trends, and changes in representation, hiring, grade level achievement, selections to senior level positions, applicant data, separations, exit survey data (being revised to include demographic data). FDA examines EEO Complaints, by Center, and overall for trends, and issues. FDA seeks input from employees through the Diversity and Inclusion Advisory Committees.
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			Each year, before being issued, policies are reviewed, and evaluated, including discussions about impacts and unintended consequences. Policies are revised as needed.
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			

Agency Self-Assessment Checklist

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			Exit surveys have not been as helpful as we need them to be, but a change request to include demographic data is in process.

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.3. The agency establishes appropriate action plans to remove identified barriers.				
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			Action plans to review and convert Schedule A employees were developed FY16 and implemented in FY17 to ensure that Management regularly reviews all Schedule A hires for conversion to permanent status, at least annually.
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			At least annually.

Agency Self-Assessment Checklist

Compliance Indicator / Measures	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.	Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			Currently not posted but the new policy issued and posted.
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			FDA has developed a database of applicants with disabilities and targeted disabilities that are available to all hiring managers, for all open positions.
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			The Disabilities Program manager has that responsibility.
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			

Agency Self-Assessment Checklist

Essential Element: E Efficiency

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.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.	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			Acceptance and dismissal letters are issued promptly.
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			The agency monitors performance of investigators and mediators for timeliness/ effectiveness.
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			

Agency Self-Assessment Checklist

Compliance Indicator / Measures	E.2. The agency has a neutral EEO process.	Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			The defensive function is handled by the departmental attorneys. The attorneys do not get involved until the EEO formal process has been completed.
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			EEO Director seeks guidance from the General Counsel who assigns an attorney.
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	N/A
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			Management Officials (MO's) and Responsible Management Officials (RMO's) are appraised of the process and progress, however they are not involved in investigations beyond providing information, MO's and RMO's do not have access to counseling reports, investigation reports, or any information that could compromise the neutrality and fairness of the EEO Process. HHS Issues FADS.

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	Questions regarding legal sufficiency are not related to time frames. That has not presented as an issue for this agency.

Agency Self-Assessment Checklist

Compliance Indicator / Measures	E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.	Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]		X			FDA has an Ombuds program (including the Conflict Prevention and Resolution (CPR) office with 4 FTE mediators, a program manager and office director. FDA also utilizes Crossroads EEO to provide additional Mediation services. ADR was elected by 71 of 144 complainants counseled in FY18, the lowest acceptance rate (49.3%) since FY12. Very few select ADR at the formal stage (1 of 1).
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			All managers and supervisors are required to participate in ADR, if the employee elects ADR.

Agency Self-Assessment Checklist

E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]	X			ADR usage is encouraged by EEO Counselors and Specialists. Because of the decline in ADR usage at the informal stage, counselors are examining their SOPs, presentation materials, and documentation to be certain that they are conveying a positive and encouraging message to complainants.
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			FDA requires that all settlement officials be available either in person, or by phone during mediations.
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			RMOs are not allowed to have settlement authority in any case in which they are named or referenced.
E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	X			ADR services are evaluated annually, using I-Complaints data (resolutions, settlements, no attempt, timely completed etc. and for performance against service level agreements.

Agency Self-Assessment Checklist

Compliance Indicator / Measures		Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
	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			The agency uses I-Complaints to enter and collect data related to all aspects of the EEO complaint process. Data is evaluated quarterly and added to spreadsheets for faster comparisons and trend analysis. Data is recorded by OpDiv and by Center.
E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]		X			FDA uses the BIIS system for standard A & B RNO reports, and uses a secure Webi portal (in BIIS), only available to EEO, to conduct searches of the HR database for EEO investigations and information requests.
E.4.a.3. Recruitment activities? [see MD-715, II(E)]		X			OHR's office of Outreach and Recruitment tracks that information.

Agency Self-Assessment Checklist

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			USA Staffing reports are available to EEO for collecting and analyzing applicant flow data. EEO Staff is working with USA Staffing and internal resources to improve the data and data usability. A new training is scheduled for July 2019.
E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]	X			FDA is working with Entellitrak to improve the RA office's responsiveness and efficiency. The current system captures and records all RA requests, timeliness data, and processing information, identifies decision makers and the stage of the process for each request, but lacks simple reporting functions and timeliness alerts.
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			FDA re-surveyed the workforce for disability, and RNO in FY17-18. One of the more striking changes was the number of employees not identifying their disability or who provided no demographic data increased slightly, as a percentage of all employees. EEO has on its web page a link for employees to submit changes to HR concerning their disability status.

Agency Self-Assessment Checklist

Compliance Indicator / Measures	E.5. The agency identifies and disseminates significant trends and best practices in its EEO program.	Measure Has Been Met: Yes	Measure Has Been Met: No	Measure Has Been Met: N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
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			FDA monitors EEO Complaint activity volume by Bases and Issues to determine whether patterns or trends are occurring within the centers, or within FDA overall. Data are added and summarized quarterly.
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			FDA reviewed best practices from NIH and VA in FY18.
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			FDA has/is comparing data with NIH and VA to compare programs, services, and performance, however, it is difficult to compare programs with the differences in scale, and scope of the agencies.

Agency Self-Assessment Checklist

Essential Element: F Responsiveness and Legal Compliance

Compliance Indicator / Measures		Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.				
F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]		X			
F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]		X			
F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]		X			
F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]		X			
F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]		X			

Compliance Indicator / Measures		Measure Has Been Met: Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
	F.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			FDA does not control payroll (DFAS does).
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			

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
	F.3. The agency reports to EEOC its program efforts and accomplishments.	Yes	No	N/A	
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			

Plan to Attain Essential Elements

PART H.1

STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:	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)]

There is no plan to address this reporting relationship, as FDA managers, including the EEO Director, report to the Agency Head's designee.

Plan to Attain Essential Elements

PART H.2

STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:	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.

Lack of adequate training to managers and supervisors.

OBJECTIVE:	***Date Objective Initiated:*** Oct 1, 2018	***Target Date For Completion Of Initiative:*** Dec 31, 2021
	To increase or re-distribute training resources to ensure timely completion of required in-person trainings, and to develop on-line training materials for supervisors and managers to ensure that they are receiving necessary training annually.	
Responsible Official	Carol Moulton	
PlannedActivities	***Target Date***	***Planned Activity***
	May 31, 2021 12:00 AM	Increase training resources to ensure that required trainings are conducted for all supervisors and managers annually. Specifically, requested staff to provide in-person trainings and budget to develop on-line trainings for all managers and supervisors on mandatory topics. Requested additional resources to help OEEO comply with completing training s in FY19.
Report of Accomplishments and Modifications to Objective		

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?	The A-1 report shows us that Hispanic males (1.77%) and females (2.34%) are significantly unrepresented according to the Civilian Labor Force (CLF) standards, HM CLF is 5.17% and for HF CLF is 4.79%.
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.	FDA outreach and recruitment policies for Hispanic Males and Females was inadequate.
Objective	To annually increase the number of Hispanic males and females at FDA in administration, S mission critical positions. **Date Objective Initiated:** Jan 2, 2018 **Target Date For Completion Of Objective:** Sep 30, 2021
Responsible Officials	Carol Moulton Director of EEO
Planned Activities Toward Completion of Objective	**Planned Activity** — **Target Date** In FY 18, FDA signed a MOU with HACU and continues to pursue a similar agreement with LULAC. — Dec 31, 2019
Report of Accomplishments and Modifications to Objective	Permanent Hispanic males at FDA increased by 3 people (.02%) and are currently at 1.77% of the FDA workforce, however, Permanent Hispanic females at FDA decreased by 4 people (.04%) and are currently at 2.34% of the FDA workforce. FDA formed a strategic partnership with the Society for Advancement of Chicanos/ Hispanics and Native Americans in Science (SACNAS NJ/NY/Philly Chapters), Hispanic Alliance for Career Enhancement (HACE), Minority Access, Inc. (Non-Profit focused on producing minority researchers from over 450 Institutions), Degrees of Change (Community Organization in Northwest and Midwest of US cultivating leaders through students of color, low income, and first generation college attendees and underrepresented institutions such as the University of Puerto Rico (multiple campuses) through the Leadership Alliance (A consortium of 30 Ivy League and Underrepresented Institutions of Higher Learning to promote PhDs and MD/PhDs in underrepresented minority populations). FDA also recruits at the Annual Biomedical Research Conference for Minority Students (ABRCRMS) including Hispanic/Chicano population) Meeting, and SACNAS regional and national Annual Meetings to target Hispanic/Chicano populations for FDA outreach and recruitment efforts.

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?	Less than expected participation rates for White males and females in major occupations.
STATEMENT OF BARRIER GROUPS:	***Barrier Group*** White Males White 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.	We have not identified a specific policy, procedure or practice however it is expected that the CLF for White males and females with the 2020 census data that the CLF numbers will be significantly lower than the current CLF rates due to demographic changes within the Nation.
Objective	To increase outreach and recruitment efforts for White male and female populations in the l **Date Objective Initiated**: Jan 2, 2018 **Target Date For Completion Of Objective**: Sep 30, 2021
Responsible Officials	Carol Moulton Director of EEO
Planned Activities Toward Completion of Objective	**Planned Activity**: FDA will continue to attract and recruit qualified White applicants for MCOs and also by partnering strategically with college and universities throughout the Nation. **Target Date**: Dec 31, 2019
Report of Accomplishments and Modifications to Objective	Recruitment efforts continue however applicant flow data from 2018 indicates that White employees are applying at approximately the same rates as their current permanent representation rates. Since FY17, White males in MCOs have decreased slightly from 23.69% to 23.23% while White females decreased slightly from 30.94% to 30.61%. This shows an improvement in retention of White employees in MCOs.

Plan to Eliminate Identified Barriers

PART I.3

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?	Less than expected participation rates for Native Hawaiians and Pacific Islanders.
STATEMENT OF BARRIER GROUPS:	***Barrier Group*** Native Hawaiian or Other Pacific Islander Males Native Hawaiian or Other Pacific Islander 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.	We are currently trying to determine whether or not FDA captures Native Hawaiians and Pacific Islanders information and categorizes it separately or if their information is being aggregated into the Asian population data. We expect to have more clarification by June 30, 2019.
Objective	To ensure applicants and hires are being properly identified by Race and National Origin (R **Date Objective Initiated**: Jan 2, 2018 **Target Date For Completion Of Objective**: Dec 31, 2019
Responsible Officials	Carol Moulton Director of EEO
Planned Activities Toward Completion of Objective	**Planned Activity**: To meet with representatives from HHS information management systems to gather additional details that will clarify how employees and applicants are classified with respect to RNO. Native Hawaiians and Pacific Islanders CLF represent less than 1% (0.14% combined). **Target Date**: Dec 31, 2019
Report of Accomplishments and Modifications to Objective	No accomplishments to report at this time.

Plan to Eliminate Identified Barriers

PART I.4

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?	Less than expected participation rates for People with Disabilities (PWD) and People with Targeted Disabilities (PWTD).
STATEMENT OF BARRIER GROUPS:	***Barrier Group*** All Men All Women
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.	Insufficient use of Schedule A hiring and lack of awareness of some hiring managers concerning the pool of available applicants with PWD and PWTD on file with FDA.
Objective	
Responsible Officials	Carol Moulton Director of EEO

Planned Activities Toward Completion of Objective	**Planned Activity**	**Target Date**
	FDA is developing a training for hiring managers on understanding and avoiding biases during the hiring process. Employees are actively recruiting Veterans and hiring authorities such as Schedule A. NCTR plans to continue to leverage Schedule A and other available direct hire appointment authorities to increase the representation of PWD and PWTD. In FY18, NCTR continued to build strategic partnership with the Little Rock Air Force Base by participating in 2 job fairs that hosted over 300 participants many of whom were disabled veterans. FDA is expanding outreach initiatives that are diverse and inclusive to gain a better representation of people with disabilities and that represent the general population.	Sep 30, 2021

Report of Accomplishments and Modifications to Objective	PWTD applications nearly doubled from 674 in FY17 to 1323 in FY18 . The referral rate for PWTD increased from 17.4% in FY17 to 18.4% in FY18, and the selection rate decreased to 0.68% in FY18 from 0.80% in FY17 (even though FDA hired three more PWTD permanent employees in FY18).

Plan to Eliminate Identified Barriers

PART I.5

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?	Less than expected participation rates for Black males and females at the GS-15 and SES levels.
STATEMENT OF BARRIER GROUPS:	***Barrier Group*** Black or African American Males Black or African American 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.	We are evaluating the qualifications, referral, and selection policies and procedures, for internal selections for senior positions to determine if any of these policies and procedures contain inherent biases.
Objective	To increase representation of Black males and females throughout senior leadership to adeq the workforce. **Date Objective Initiated:** Jan 2, 2018 **Target Date For Completion Of Objective:** Sep 30, 2021
Responsible Officials	Carol Moulton Director of EEO
Planned Activities Toward Completion of Objective	**Planned Activity:** FDA is instituting a trail in cooperation with OPM to evaluate and modify the information presented to hiring managers. Specifically, to remove information that would identify a person's race, age, education and any other identifiable information that might create a bias. The trial is in one center only (CDER) and the implementation date has not been established. **Target Date:** Dec 31, 2019
Report of Accomplishments and Modifications to Objective	Black male representation in the GS-15 rank increased by one person however their percentage of GS-15 decreased from 3.13% to 3.02%. In the SES rank, Black males increased from 4 to 5 and increased from 6.25% to 8.62% of all SES. Black female representation in the GS-15 rank increased by 9 people from 7.43% to 7.53% of all permanent GS-15s . With respect, Black females remain at 4 however their percentage of SES increased from 6.25% to 6.90% as a result of having fewer SES employees in FY18.

Plan to Eliminate Identified Barriers

PART I.6

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?	Less than expected participation rates for American Indians and Native Alaskans (this population is <1% of the workforce however the combined CLF is 1.08%).
STATEMENT OF BARRIER GROUPS:	***Barrier Group*** American Indian or Alaska Native Males American Indian or Alaska Native 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.	FDA is currently examining its qualification referral and selection policies for inherent biases. According to application flow data, 1240 applications (note: the number of applications do not adequately represent the number of individual applicants) were received from people who self identified as American Indians and Native Alaskans 21.45% were qualified, 20.56% of American Indians and Native Alaskans were referred, however 0.88% (11) were selected.
Objective	To increase the participation of the American Indians and Native Alaskans population throu and recruitment, and continuing evaluation and modification of current FDA policies and pr qualification , referral and selection. **Date Objective Initiated:** Jan 2, 2018 **Target Date For Completion Of Objective:** Sep 30, 2021
Responsible Officials	Carol Moulton Director of EEO
Planned Activities Toward Completion of Objective	**Planned Activity:** To develop a MOU with SAIGE and communicate with senior executives and hiring managers to increase outreach and recruitment, and to continue to evaluate FDA's policies and procedures with the goal of eliminating biases. **Target Date:** Sep 30, 2021
Report of Accomplishments and Modifications to Objective	Permanent American Indians and Native Alaskans females increased by 2 people (from 0.31% to 0.32%) in FY18 however American Indians and Native Alaskans males decreased by 2 people (from 0.27% to 0.26% in FY18).

Plan to Eliminate Identified Barriers

PART I.7

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?	Less than expected participation rates for people of Two or More races (this population is <1% of the workforce and their combined CLF is 0.52%).
STATEMENT OF BARRIER GROUPS:	***Barrier Group*** 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.	N/A
Objective	Establishing community partnerships with local university and colleges. **Date Objective Initiated:** Jan 2, 2018 **Target Date For Completion Of Objective:** Sep 30, 2021
Responsible Officials	Carol Moulton Director of EEO
Planned Activities Toward Completion of Objective	**Planned Activity:** Recruitment efforts that include establishing strategic partnerships with colleges, universities and organizations representing minorities. **Target Date:** Sep 30, 2019
Report of Accomplishments and Modifications to Objective	FDA formed a strategic partnership with the Society for Advancement of Chicanos/ Hispanics and Native Americans in Science (SACNAS NJ/NY/Philly Chapters), Hispanic Alliance for Career Enhancement (HACE), Minority Access, Inc. (Non-Profit focused on producing minority researchers from over 450 Institutions), Degrees of Change (Community Organization in Northwest and Midwest of US cultivating leaders through students of color, low income, and first generation college attendees and underrepresented institutions such as the University of Puerto Rico (multiple campuses) through the Leadership Alliance (A consortium of 30 Ivy League and Underrepresented Institutions of Higher Learning to promote PhDs and MD/PhDs in underrepresented minority populations). FDA also recruits at the Annual Biomedical Research Conference for Minority Students (ABRCRMS) including Hispanic/Chicano population) Meeting, and SACNAS regional and national Annual Meetings to target Hispanic/Chicano populations for FDA outreach and recruitment efforts

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

Permanent employees at grades GS1-10 are at 15.12% for PWD, exceeding the 12.00% goals by 3.16%. Permanent employees at the GS11-SES are at 5.19% for PWD, 6.81% below the 12.00% goal for PWD.

*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

Permanent employees grade 1-10 are at 3.05% (PWTD), exceeding the 2.00% goal by 1.05%. Permanent employees grade 11-SES are at 0.88% (PWTD), 1.12% below the 2.00% goal.

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

Goals for hiring employees with disabilities and relevant hiring and applicant flow data are provided to hiring managers on a semiannual basis through meetings with executive officers and directors.

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

One of four requested new staff would have involvement in assisting with managing the disability program.

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	1	0	0	Rita Harrison IT Specialist
Processing applications from PWD and PWTD	0	0	1	Patricia Mendoza Supervisory HRS
Answering questions from the public about hiring authorities that take disability into account	0	0	2	Patricia Mendoza Supervisory HRS
Special Emphasis Program for PWD and PWTD	0	1	0	Corwyn Alvarez, EEO Specialist corwyn.alvarez@fda.hhs.gov joyce.washington@fda.hhs.gov
Processing reasonable accommodation requests from applicants and employees	4	0	0	Robert Thomas Team lead
Architectural Barriers Act Compliance	0	0	0	Don Demers Director for the Office of Facilities

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

Disability Staff received training in FY18.

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

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

Answer No

FDA did not have adequate staff in FY18 .

Section III: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

During FY18, FDA utilized a variety of recruitment strategies designed to increase the number of qualified applicants with disabilities and applicants with targeted disabilities for disabled veterans and people with disabilities. FDA continues to maintain a database with resumes of PWD, PWTD and veterans . Hiring managers are encouraged to review those applications for Schedule A hiring considerations.

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

FDA continues to provide training to staff to increase the knowledge and skills when hiring PWD, PWTD and veterans. All hiring managers are encouraged to hire PWD and PWTD for permanent positions.

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.

FDA requests from the applicant a documentation of eligibility for employment under Schedule A that can be obtained from a licensed medical professional (e.g., a physician or other medical professional certified by a state, the District of Columbia, or a U.S. territory to practice medicine); a licensed vocational rehabilitation specialist (i.e., state or private); or any Federal agency, state agency, or agency of the District of Columbia or a U.S. territory that issues or provides disability benefits. Once FDA has confirmed the the letter was issued by a licensed medical professional or a licensed vocational rehabilitation specialist, the resume/application of the individual is forwarded to the hiring manager with the non-competitive certificate of eligibles and recommended to interview the applicant. If the PWD and PWTD candidate is selected for the position, FDA encourages the manager to convert the applicant non-competitive to career conditional after two years. OHR launched in FY 17 a searchable Schedule A candidate database for hiring managers and continue to maintain it on the OHR's SharePoint site. This database is a searchable applicant database for Disabled Veterans, Schedule A, Veterans' Recruitment Appointment (VRA). Managers have access to this database and are encouraged to hire these candidates.

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

FDA provides training to hiring managers on the use of special hiring authorities.

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.

As we have established MOUs with several minority institutions and organizations, we will also seek to establish MOUs with several organizations who assist PWD and PWTD for positions within this agency. This will be in addition to the current agreements that we have with state vocational rehabilitation agencies and with the US Department of Labor.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

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

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

Among new hires, PWD's were 6.35% of all new hires. PWTD's were 1.06% of all new hires.

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

a. New Hires for MCO (PWD) Answer Yes

b. New Hires for MCO (PWTD) Answer Yes

New Hires for MCO's (B7 Table), indicate that FDA hires for MCO's fell short of the 12.00% goal by 2.97% (9.03% of Selections were PWD's). FDA PWTD new Hires,for MCO's, were hired at a rate of 1.59%, still below the 2.00% target, but this FY18 rate exceeds FDA's current rate for PWTD's (1.04%). It should be noted that other than general engineering, electrical engineering and Info Systems Specialists, most gains for PWTD's and PWD's occurred in administrative occupations within the MCO's.

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 Yes

b. Qualified Applicants for MCO (PWTD) Answer Yes

PWD's qualified at a rate of 30.8% while all applicants for MCO's qualified at a rate of 40.7%. PWTD's qualified at a rate of 17% as opposed to all others at 40.7%.

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 Yes

b. Promotions for MCO (PWTD) Answer Yes

B-7 tables indicate that most promotions for PWD's and for PWTD's especially were in non-STEM administrative positions.

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.

Every October Managers are notified to review every Schedule A appointment for possible conversion to career status. We are also are reviewing AFD to ensure that PWDs and PWTDs are not being excluded from advancement opportunities.

B. CAREER DEVELOPMENT OPPORTUNITES

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

FDA has a centralized career development program managed by FDA University (FDAU) staff. EEO is working with FDAU to enhance training for all employees at FDA. The centers each have programs designed to enhance and support their respective goals and missions. A data collection system for career development, mentoring, fellowships, and coaching is in discussion stages currently with OHR, and the Office of Operations, through EEO.

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	N/A	N/A	N/A	N/A	N/A	N/A
Fellowship Programs	N/A	N/A	N/A	N/A	N/A	N/A
Mentoring Programs	N/A	N/A	N/A	N/A	N/A	N/A
Coaching Programs	N/A	N/A	N/A	N/A	N/A	N/A
Training Programs	N/A	N/A	N/A	N/A	N/A	N/A
Detail Programs	N/A	N/A	N/A	N/A	N/A	N/A
Other Career Development Programs	N/A	N/A	N/A	N/A	N/A	N/A

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

FDA does not have data for PWD or PWTD applicants for fellowship, career development, coaching, training, or detail programs.

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

a. Applicants (PWTD) Answer N/A

b. Selections (PWTD) Answer N/A

No Data currently available on applicants to those programs, or the total number of people selected to programs. Currently, programs are distributed across centers, with different rules and processes.

C. AWARDS

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

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

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

Awards for PWD and PWTD are distributed at almost identical rates in all categories.

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

a. Pay Increases (PWD) Answer No

b. Pay Increases (PWTD) Answer No

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

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

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

D. PROMOTIONS

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

a. SES

i. Qualified Internal Applicants (PWD) Answer Yes

ii. Internal Selections (PWD) Answer Yes

b. Grade GS-15

i. Qualified Internal Applicants (PWD) Answer Yes

ii. Internal Selections (PWD) Answer Yes

c. Grade GS-14

i. Qualified Internal Applicants (PWD) Answer Yes

ii. Internal Selections (PWD) Answer Yes

d. Grade GS-13

i. Qualified Internal Applicants (PWD) Answer Yes

ii. Internal Selections (PWD) Answer Yes

For SES, internal selection for PWD, the rate was 0.00%, while the applicant pool rate for PWD's (GS-15's) was 3.13% For GS -15 internal selection rates were 1.77% for PWD , while the applicant pool rate for PWD's at GS-14 was 4.06%. For GS-14, selection rates were 3.88% for PWD's while the applicant pool rate for PWD's at the GS-13 level was 5.35% For GS-13's the selection rate for PWD's was 6.49%, while the applicant pool rate for GS-12's PWD was 6.92%. Every October, the FDA HR and EEO DIrectors meet to review the status of all Schedule A employees. Following that meeting, supervisors and managers are contacted and encouraged to consider every Schedule A applicant for conversion to permanent status.

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

a. SES

i. Qualified Internal Applicants (PWTD) Answer Yes

ii. Internal Selections (PWTD) Answer Yes

b. Grade GS-15

i. Qualified Internal Applicants (PWTD) Answer Yes

ii. Internal Selections (PWTD) Answer Yes

c. Grade GS-14

i. Qualified Internal Applicants (PWTD) Answer Yes

ii. Internal Selections (PWTD) Answer No

d. Grade GS-13

i. Qualified Internal Applicants (PWTD) Answer Yes

ii. Internal Selections (PWTD) Answer Yes

At SES, the selection rate for PWTD's was 0.0% while the applicant pool rate for GS-15's with TD's is 0.27% At GS-15 the selection rate was 0.44% while the applicant pool rate for PWTD at GS-14 was 0.58%. At GS-14, PWTD had a selection rate of 3.88%,the applicant pool rate for PWTD S 13's was 1.06% At GS-13, section rates for PWTD were 6.88%., while the internal applicant pool has a PWTD rate of 1.10%

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 Yes

b. New Hires to GS-15 (PWD) Answer Yes

c. New Hires to GS-14 (PWD) Answer Yes

d. New Hires to GS-13 (PWD) Answer Yes

None of the upper grades meet the selection rate of 12.00% or higher for PWD's, however applicant data is not available for comparison currently. No PWD's or PWTD's applied for GS-15 positions. For GS 14 positions, the qualification rate for PWDs was 67%, however none were selected. The Qualification rate for the 1 PWTD was 100% however that person was not referred or selected. For GS 13s, the qualification rate was 52% for everyone, whole the qualification rate for PWD's was 55.00%, but just 7.2% of all applicants were PWD's. PWTD's at the GS13 level were just 1.97% of all applicants, with a qualification rate of 33.00%, however none were referred or selected.

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	Yes
b. New Hires to GS-15 (PWTD)	Answer	Yes
c. New Hires to GS-14 (PWTD)	Answer	Yes
d. New Hires to GS-13 (PWTD)	Answer	Yes

None of the upper grades meet the selection rate of 12.00% or higher for PWD's.

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

Do not have data for the applicants or for the selectees for supervisory or managerial positions as stand alone data., but will request that breakout from USAJOBS.

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

No data

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

Separate data for supervisory positions only is not available.

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

N/A

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 Yes

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

a.Voluntary Separations (PWD)	Answer	Yes
b.Involuntary Separations (PWD)	Answer	No

The voluntary separation rate for PWD's was 7.69%, slightly higher than the FDA rate for all PWD. There were no involuntary separations listed for PWDs on the B-14 report.

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

No PWTD's were separated voluntarily or involuntarily according to the B-14 data.

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.fda.gov/media/80908/download

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.

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.

All FDA occupied buildings at the White Oak Campus meet accessibility requirements. The main personnel entrances to the buildings have ADA compliant mechanized entry/exit doors. Over 90% of all exterior entrances to the buildings, routinely used for egress, have been converted to self-actuated sliding mechanized doors that enhance the convenience-of-use and accessibility for disabled individuals.

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 Entellitrak system is currently not operational.

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.

Training on RA and the RA procedures is provided to managers annually, and all policies and procedures are posted on the internet, and intranet, as well as on the OO and EEO home pages. RA is developing its own home page for FY20. The RA program and staff were re-assigned to another division with FDA, effective April 1. Increases in staffing and increased expenditures for data management systems are in the works currently.

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.

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 N/A

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 Yes

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

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer Yes

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 Yes

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

There were no findings against FDA, however in some settlements accommodation was at least one issue.

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 No

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

Answer N/A

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.

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

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.