

EEOC FORM  
U.S. Equal Employment Opportunity Commission

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

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| <b>EEOC FORM<br/>715-02<br/>Part F</b> | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |
| <b>Department of Transportation</b>    | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>                                       |

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

I, Irene Marion, Director, Departmental Office of Civil Rights, am the Principal EEO Director/Official for the U.S. Department of Transportation.

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 EEO MD-715 standards, DOCR conducted a further evaluation and, as appropriate, included EEO Plans for Attaining the Essential Elements of a Model EEO Program with this Federal Agency Annual EEO Program Status Report.

The Agency also has analyzed its workforce 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, sex, 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 Agency Head or Agency Head Designee

Date



August 30, 2023

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

Date

Irene B. Marion

August 30, 2023

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| <b>EEOC FORM<br/>715-02<br/>Part A-D</b>   | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |  |
| <b>Department of Transportation</b>  |   | <b>For period covering<br/>October 1, 2021, to September<br/>30, 2022</b>  |
| <b>PART A<br/>Department<br/>or Agency<br/>Identifying<br/>Information</b>                               | <b>Agency</b>   | U.S. Department of Transportation  |
|  | <b>Second-Level<br/>Component</b>   | Office of the Secretary  |
|  | <b>Address</b>  | 1200 New Jersey Avenue, SE   |
|  | <b>City, State, Zip Code</b>  | Washington, D.C. 20590   |
|  | <b>Agency Code</b>  | TD00   |
|  | <b>FIPS Code</b>  | 10010  |
| <b>PART B<br/>Total<br/>Employment</b>   | <b>Permanent Workforce</b>  | 53,186   |
|  | <b>Temporary Workforce</b>  | 708  |
|  | <b>Total Workforce</b>  | 53,894   |
| <b>PART C<br/>Agency<br/>Official(s)<br/>Responsible<br/>for<br/>Oversight of<br/>EEO<br/>Program(s)</b> | Agency Head   | Pete Buttigieg, Secretary,<br>Department of Transportation   |
|  | Agency Head Designee  | N/A  |
|  | EEO Director  | Irene Marion, Director,<br>Departmental Office of Civil<br>Rights (DOCR)   |
|  | Affirmative Employment Manager  | Yvette Rivera, Associate Director,<br>Equity and Access Division,<br>DOCR  |
|  | Complaint Processing Program<br>Manager   | Sierra Collins, Associate Director,<br>Equal Employment Opportunity<br>Complaints and Investigations<br>Division, DOCR |
|  | Diversity and Inclusion Officer   | DeShawn Shepard, Deputy<br>Director, Departmental Office of<br>Human Resource Management<br>(DOHRM)                    |
|  | Hispanic Special Emphasis<br>Program Manager  | Yvette Rivera, Associate Director,<br>Equity and Access Division,<br>DOCR  |
|  | Women's Special Emphasis<br>Program Manager   | Sara KluberDanz, Lead Civil<br>Rights Analyst, Equity and<br>Access Division, DOCR                                     |

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| <b>EEOC FORM<br/>715-02<br/>Part A-D</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |  |           |
| <b>Department of Transportation</b>   |   | <b>For period covering<br/>October 1, 2021, to September<br/>30, 2022</b>  |           |
|   | Disability Special Emphasis<br>Program Manager  | Yvette Rivera, Associate Director,<br>Equity and Access Division,<br>DOCR  |           |
|   | Special Placement Program<br>Coordinator (Individuals with<br>Disabilities)                                 | Duronne Walker, Departmental<br>Selective Placement Program<br>Manager, DOHRM  |           |
|   | Reasonable Accommodation<br>Program Manager   | Michele Magana, Manager,<br>Disability Resource Center   |           |
|   | Anti-Harassment Program<br>Manager  | Yanira Reyes, Labor Relations<br>and Employee Relations<br>Departmental Program Manager,<br>DOHRM                      |           |
|   | ADR Program Manager   | Fern Kaufman, Director, Center<br>for Alternative Dispute<br>Resolution  |           |
|   | Compliance Manager  | Sierra Collins, Associate Director,<br>Equal Employment Opportunity<br>Complaints and Investigations<br>Division, DOCR |           |
|   | Primary MD-715 Preparer   | Sara Kluberanz, Lead Civil<br>Rights Analyst, Equity and<br>Access Division, DOCR                                      |           |
|   | Other EEO Staff   |  |           |
| <b>PART D<br/>List of<br/>Subordinate<br/>Components<br/>Covered in<br/>This Report</b> | <b>Subordinate Component and Location<br/>(City/State)</b>  | <b>CPDF and FIPS<br/>codes</b>   |           |
|   | Office of the Secretary of Transportation<br>(OST)<br>(Washington/D.C.)                                     | TD01   | 110010001 |
|   | Federal Aviation Administration (FAA)<br>(Washington/D.C.)  | TD03   | 110010001 |
|   | Federal Highway Administration (FHWA)<br>(Washington/D.C.)  | TD04   | 110010001 |
|   | Federal Motor Carrier Safety Administration<br>(FMCSA)<br>(Washington/D.C.)                                 | TD17   | 110010001 |
|   | Federal Railroad Administration (FRA)<br>(Washington/D.C.)  | TD05   | 110010001 |
|   | Federal Transit Administration (FTA)  | TD09   | 110010001 |

| EEOC FORM<br>715-02<br>Part A-D |   | U.S. Equal Employment Opportunity Commission<br>FEDERAL AGENCY ANNUAL<br>EEO PROGRAM STATUS REPORT |           |
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| Department of Transportation    |   | For period covering<br>October 1, 2021, to September<br>30, 2022                                   |           |
|                                 | (Washington/D.C.)   |  |           |
|                                 | Maritime Administration (MARAD)<br>(Washington/D.C.)                                  | TD13   | 110010001 |
|                                 | National Highway Traffic Safety<br>Administration (NHTSA)<br>(Washington/D.C.)        | TD10   | 110010001 |
|                                 | Office of Inspector General (OIG)<br>(Washington/D.C.)                                | TD12   | 110010001 |
|                                 | Pipeline and Hazardous Material Safety<br>Administration (PHMSA)<br>(Washington/D.C.) | TD16   | 110010001 |
|                                 | Great Lakes St. Lawrence Seaway<br>Development Corporation (GLS)<br>(Washington/D.C.) | TD06   | 363580089 |

| EEOC FORM<br>715-02<br>Part E |  | U.S. Equal Employment Opportunity Commission<br>FEDERAL AGENCY ANNUAL<br>EEO PROGRAM STATUS REPORT |  |
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| Department of Transportation  |  | For period covering<br>October 1, 2021, to September<br>30, 2022                                   |  |

### **Part E.1. Executive Summary: Mission**

*To deliver the world's leading transportation system, serving the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods.*

### **Part E.2. Executive Summary: Essential Element A-F**

The U.S. Department of Transportation (Department, DOT, or Agency) is pleased to submit to the U.S. Equal Employment Opportunity Commission (EEOC) its annual Management Directive (MD) 715 report for Fiscal Year (FY) 2022. This report provides narrative descriptions and statistical data regarding DOT's workforce and highlights

actions DOT has taken to ensure equal opportunity in its practices to recruit, hire, develop, and retain talent.

In line with the President's commitment to advance equity through a "whole of government" approach,<sup>1</sup> the Department is committed to achieving model EEO status by engaging in proactive prevention and redressing inequities in the policies, programs, and operations that may serve as barriers to opportunities for underserved populations and communities. The Department consists of the Office of the Secretary of Transportation (OST), the Office of Inspector General (OIG), and nine operating administrations (OAs), each with its own management and organizational structure. OST coordinates the formulation of national transportation policy, promotes intermodal transportation, and coordinates the OAs' missions. See 49 C.F.R. § 1.13. The OAs are charged with the broad responsibility of keeping the traveling public safe and secure, increasing their mobility, and ensuring that the nation's transportation programs contribute to the nation's economic growth.

Headquartered in Washington, D.C., DOT and its OAs cover all 50 States, the District of Columbia, and all U.S. Territories. Each OA and Departmental office has its own congressional budget and authority. Each OA has a Civil Rights Director.

DOT's Departmental Office of Civil Rights (DOCR) is located within OST; DOCR's Director serves as the principal policy advisor to the Secretary and Deputy Secretary on civil rights and nondiscrimination statutes, regulations, management directives, and applicable executive orders. DOCR leads, oversees, and manages the administration of the DOT-wide equal employment opportunity (EEO) program; oversees DOT-wide affirmative employment programs; and collaborates with the Departmental Office of Human Resource Management (DOHRM) on Departmental diversity programs, including implementation of Executive Order 14035, *Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce* (DEIA EO) (June 25, 2021). See 49 C.F.R. § 1.40. DOCR conducts workforce analyses and reports on its results; develops outreach and retention programs; provides training and communication on EEO and diversity topics; oversees EEO counseling; administers the Agency's entire formal EEO complaint process (acceptance, investigation, and compliance); issues final agency decisions; and prepares Departmental reports. DOCR also enforces and oversees compliance with

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<sup>1</sup> Executive Order on *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, EO 13985, January 20, 2021; Executive Order on *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*, EO 13988, January 20, 2021; Executive Order on *Establishment of the White House Gender Policy Council*, EO 14020, March 8, 2021; Executive Order on *Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*, EO 14035, June 25, 2021.

external civil rights statutes and regulations, including Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Disadvantaged Business Enterprise program. Id.

DOCR proactively exercises its internal EEO oversight and guidance roles by holding monthly meetings with OA civil rights directors to share information and administration priorities, identify shared challenges, and provide technical assistance. DOCR has increased the frequency of these more formal meetings since the start of this reporting period. DOCR also holds one-on-one meetings, as needed, with each OA civil rights director. In addition to organized meetings, DOCR's managers and staff interact with and provide technical assistance to OAs and communicate with Agency employees and external EEO stakeholders daily. This interaction greatly increased during the COVID-19 pandemic due to the increasing numbers of reasonable accommodation requests relating to the Federal employee vaccination mandate and concerns arising from return-to-office and COVID-19 testing requirements.

DOCR is an active member of many DOT-wide working groups, including DOT's Equity Council, Human Resources Council, Disability Law Coordinating Council, and Human Capital Planning Council. As an integral member of these groups, DOCR provides leadership on equal opportunity strategies and proactively identifies civil rights issues to ensure that equity and access principles are integrated into each of DOT's workforce activities and programs. DOCR also gathers information through these groups that informs and results in more impactful barrier analysis.

The Secretary has appointed DOCR to co-lead the Department's overall equity activities. DOCR is also responsible for leading, or co-leading, DOT's implementation of many of the recent Biden-Harris Administration equity-related Executive Orders, including the following:

- Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (January 20, 2021)
- Executive Order 13988: *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (January 20, 2021)
- Executive Order 14020: *Establishment of the White House Gender Policy Council* (March 8, 2021)
- Executive Order 14035: *Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce* (June 25, 2021)

- Executive Order 14041: *White House Initiative on Advancing Educational Equity, Excellence and Economic Opportunity through Historically Black Colleges and Universities* (September 3, 2021)
- Executive Order 14075: *Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals* (June 15, 2022)
- Executive Order 14091: *Further Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (February 16, 2023)

DOCR's leadership ensures that DEIA and equal opportunity are deeply integrated into DOT's overall equity work and in its everyday programmatic work. This demonstrates DOT's commitment to the essential elements of a model EEO program and serves as a useful lens through which all of DOT's EEO and other civil rights activities are assessed, analyzed, and improved. In addition, DOCR maintains a strong partnership with DOHRM, the Office of the General Counsel, the Office of the Senior Procurement Executive, the Office of the Chief Information Officer, unions that represent DOT employees, and DOT's Employee Resource Groups (ERGs).

The FY 2022 accomplishments discussed below in Part E.4. further demonstrate the Agency's commitment to equal employment opportunity; integration of DEIA into DOT's strategic mission, management and program accountability; proactive prevention of unlawful discrimination; EEO program efficiency; and compliance with EEO laws and EEOC regulations and Management Directives.

### **Part E.3. Executive Summary: Workforce Analysis**

DOCR's examination of the DOT workforce in FY 2022 revealed that the total Agency workforce increased slightly from FY 2021, with a slight decrease in the permanent workforce and a large increase in the temporary workforce. The examination also revealed several important—and in some cases persistent—trends with respect to hiring and advancement of groups with historically low participation rates.

- Women's participation in the Department increased slightly in 2022 (26.41% in FY 2022 as compared to 25.98% in FY 2021), following a period of gradual decline in women's participation from FY 2009 to FY 2020. However, women continue to participate in DOT's workforce at lower-than-expected levels, relative to the overall American civilian labor force.<sup>2</sup>

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<sup>2</sup> U.S. Department of Labor. Bureau of Labor Statistics. Table 3.1 Civilian labor force, by age, sex, race, and ethnicity, 2000, 2010, 2020, and projected 2030. Accessed May 18, 2022. <https://www.bls.gov/emp/tables/civilian-labor-force-summary.htm>.

- FY 2022 marked the 13<sup>th</sup> consecutive year of collective workforce participation growth by Black, indigenous, and people of color (BIPOC), both in numerical terms and as a share of the total DOT workforce, although there is some variation across these groups.
- In FY 2022, although DOT's women's participation was lower-than-expected as a whole, women's participation increased slightly in most mission-critical engineering occupations (general engineering, civil engineering, and aerospace engineering).

### *FY 2012–FY 2022 DOT Total Workforce*

As noted above, during FY 2022, the Department saw its total workforce decline, continuing an overall trend of decline from FY 2016 to FY 2019 and from FY 2020 to FY 2021. See Figure 1.

- DOT's total workforce decreased by 0.41% from FY 2021 to FY 2022.
- From FY 2012 to FY 2022, the Department's total workforce decreased by 5.61% and the permanent workforce decreased by 5.57%.
- FY 2022 saw a noticeable increase in DOT's temporary workforce. In the past year, DOT's temporary workforce increased by 58.19%; nonetheless, since FY 2012 the Department's temporary workforce has declined by 7.44%.
- In FY 2022 DOT hired nearly 1,000 more employees than it hired in FY 2021 (3,520 hires in FY 2022 compared with 2,530 in FY 2021). A large number of separations in FY 2022, however, contributed to the decline in the overall workforce (3,980 separations in FY 2022 compared to 3,281 in FY 2021). Over half of these separations (2,116) were voluntary retirements.

### *Gender Diversity in the DOT Workforce<sup>3</sup>*

DOT's women's workforce composition saw a slight increase from the previous fiscal year, with women's workforce participation standing at 26.41% (See Figure 2).

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<sup>3</sup> DOT's analysis relies on existing binary workforce data but is limited by a lack of gender inclusivity in data collection practices. DOT is tracking government-wide efforts to explore changes to data collection policies and practices to support collection of more gender-inclusive data.

Women's participation increased in FY 2021 and again in FY 2022 for the first time since FY 2009.

- In FY 2022, the Department reported lower-than-expected participation rates for women in the total workforce at 26.41%, as compared to the most recently available civilian labor force rate (47%).<sup>4</sup> The principal factor influencing low women's participation at DOT continues to be the high proportion of occupations in transportation fields in which women traditionally and currently have low participation rates. For example, in the civilian labor force, women comprise less than 9% of mechanical engineers, and less than 18% of aerospace engineers and civil engineers.<sup>5</sup> Although DOT participation rates for these occupations may exceed the civilian labor force, the low numbers contribute to the decrease in DOT's overall gender diversity. DOT is committed to increasing gender diversity across the DOT workforce, with a focus on mission critical occupations. Therefore, DOT is considering ways to impact the overall applicant pool.
- Figure 2 describes the Department's total workforce distribution by gender since FY 2012. The total number of women increased slightly from 14,001 in FY 2021 to 14,293 in FY 2022 (which represents a 2.09% increase), and the overall share of women also increased slightly (25.98% in FY 2021 to 26.41% in FY 2022). However, since FY 2012, women's workforce participation relative to men has declined from 27.05% to 26.41%, and the overall number of women has declined by 7.25%. The total number of men employees decreased slightly in the past year, from 39,893 in FY 2021 to 39,824 in FY 2022.

### *DOT Workforce by Race and National Origin*

The Department continued to see an increase in racial and ethnic diversity in its workforce in FY 2022<sup>6</sup>.

- DOT's decade-long upward trend in the number of employees of color continued in FY 2022. Although Non-Hispanic White employees still constitute a large majority of the DOT workforce, just over 30% of employees are persons of color (30.02%), with

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<sup>4</sup> U.S. Department of Labor. Bureau of Labor Statistics. Table 3.1 Civilian labor force, by age, sex, race, and ethnicity, 2001, 2011, 2021, and projected 2031. Accessed April 25, 2023. <https://www.bls.gov/emp/tables/civilian-labor-force-summary.htm>.

<sup>5</sup> U.S. Department of Labor. Bureau of Labor Statistics. Labor Force Statistics from the Current Population Survey. Accessed April 25, 2023. <https://www.bls.gov/cps/cpsaat11.htm>.

<sup>6</sup> Figures and percentages in this section consider the DOT workforce with available information on race and ethnicity. In the 2022 DOT workforce, there were 96 employees (out of 54,117) with missing information.

a 10.85% representation rate for women of color and a 20.18% representation rate for men of color (see Figure 3).

- Among all employees of color, in FY 2022, approximately two-thirds (65.55%) were men, and just over one third (34.45%) were women (see Figure 4). In general, diversity is higher among women in the DOT workforce. For instance, 22.9% of women employees are Black or African American compared to 9.35% of men employees. However, 8.7% of women employees are Hispanic/Latina compared to 9.5% of men employees who are Hispanic/Latino.
- Women of color comprise nearly 11% (10.85%) of DOT's workforce, and men of color make up 20.18% of the DOT workforce. As expected, given the overall gender disparity in the DOT workforce, women comprise a noticeably lower share of the workforce than men across nearly all race and national origin groups, except for African American/Black women, who account for 6.06% of DOT's workforce, only slightly lower than African American/Black men, who account for 6.90% of DOT's workforce. Hispanic/Latina women comprise 2.29% of DOT's workforce, Asian women comprise 1.80%, American Indian/Alaska Native women comprise 0.36%, and Native Hawaiian/Other Pacific Islander women comprise 0.09% (see Figure 4).
- The largest change in the DOT workforce between 2012 and 2022 has been the participation of the Two or More Races population, which has increased by more than 50% (see Table 1)<sup>7</sup>. The U.S. census documented a 276% increase in the number of individuals in the Two or More Races population from 2010 to 2020, and a substantial change in the proportion of the Two or More Races population (from 2.9% to 10.9%)<sup>8,9</sup>.

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<sup>7</sup> In this report, the category Two or More Races contains only individuals who are not Hispanic and who identify with two or more races other than White. The category "None Specified" did not exist in 2012; in the 2022 DOT workforce, there were 96 "None Specified" DOT employees.

<sup>8</sup> U.S. Census Bureau. Improved Race and Ethnicity Measures Reveal U.S. Population Is Much More Multiracial. Accessed May 1, 2023. <https://www.census.gov/library/stories/2021/08/improved-race-ethnicity-measures-reveal-united-states-population-much-more-multiracial.html>

<sup>9</sup> The U.S. Census considers all individuals who identify as two or more races to be part of the Two or More Races population (regardless of Hispanic or Latino ethnicity), while EEOC instructions indicate "a person who is Hispanic cannot fall within the Two or More races category. The Two or More races category also does not include people who identify as White and one other type of race." Accessed May 31, 2023. <https://www.eeoc.gov/federal-sector/management-directive/instructions-federal-agencies-eeo-md-715-0>

- Of the single race and national origin categories, Native Hawaiian/Pacific Islander employees have had the largest workforce participation rate increase since FY 2012, followed by Asian and Hispanic/Latino employees.

### Workforce Grade-Level Distribution and Leadership Pipeline

Generally, DOT's workforce is most concentrated at leadership track grade levels (GS-13 to GS-15). In FY 2022, nearly two-thirds (64.87%) of Department employees held positions at a GS-13 or higher, and 45.34% of DOT employees were in GS-14, GS-15, or Senior Executive Service (SES) positions. This continues a trend of increasing participation at the highest levels since FY 2010, where 60.81% of DOT employees occupied GS-13 or higher positions and 42.9% were in GS-14, GS-15, or SES positions. The rise in workforce participation at the GS-13 and higher levels over this period also is important because GS-14 to GS-15 employees comprise the internal candidate pool from which SES candidates may be selected. In FY 2022, DOT had a total of 405 SES employees.

The Department experienced an increase in participation by women at the highest levels within its permanent workforce in FY 2022, returning to a trend of increased participation observed in previous years. Women accounted for slightly more than one-third (36.76%) of all Senior Executives, a slight increase from the FY 2021 share (36.38%). Although women's participation rates in the SES ranks remain higher than their overall workforce participation rate at DOT (see Figure 9), as compared to their overall presence in the civilian labor force, DOT continues to see lower-than-expected rates of women in SES leadership.

There was some variation with respect to racial and ethnic diversity in supervisory (GS-13 to GS-15) and SES ranks at DOT in FY 2022 (see Figure 6). African American/Black participation in SES positions in FY 2022 (15.75%) rose from FY 2021 (14.19%). Asian SES workforce participation also rose in FY 2022 (6.35%) when compared to FY 2021 (5.49%). Hispanic/Latino SES workforce participation increased slightly (3.94%) when compared to FY 2021 (3.66%) but remains low and has still not returned to FY 2019 levels (4.07%). Hispanic/Latina women participation in the SES ranks is particularly low, where only 1.75% of SES positions were occupied by Hispanic/Latina women in FY 2022 (see Figure 8).

In the SES leadership pipeline (GS-13 to GS-15), participation by BIPOC individuals saw an increase in FY 2022. Asian (5.86%), African American/Black (10.52%), and Hispanic/Latino (7.80%) workforce participation at the GS-14 level all slightly increased

from FY 2021. Asian (5.11%), African American (14.87%), and Hispanic/Latino (6.56%) workforce participation at the GS-15 level also increased in the past year (see Figure 6). This points to a positive trend that must be sustained to improve participation of women of color, particularly Hispanic women, in the SES ranks.

The Department again conducted cross-tabulation analyses to examine how employees in each race and national origin group were distributed across grade levels. The goal was to have additional data by which to identify a possible trigger for Hispanic/Latino and Asian employees in the agency leadership pipeline, given their lower participation rates in senior grade-level positions. In FY 2022, slightly more than half (55.46%) of all Hispanic/Latino employees at DOT held GS-13 to GS-15 positions, compared to 64.07% of all DOT employees. Further, during FY 2022, 0.36% of all Hispanic/Latino employees at DOT were in SES positions, compared to 0.85% of all DOT employees. Based on these figures, Hispanic/Latino employees at DOT are the demographic group with the lowest concentration of employees within the leadership pipeline at DOT relative to their overall numbers.

Additionally, during FY 2022, 65.21% of all Asian employees held GS-13 to GS-15 positions, a decrease from FY 2021 (66.8%) and FY 2020 (68.9%). Further, 0.85% of Asian employees held SES positions at the agency, which is on par with the percentage of the total permanent workforce who are in SES positions.

Among African American employees, participation at the GS-13 to GS-15 level was 61.45% in FY 2022.

#### *DOT Workforce Occupational Distribution*

The overall occupational distribution pattern for DOT's workforce in FY 2022 is similar to that in FY 2021. FAA comprises over 80% of DOT's total workforce (82.49%); nearly half of DOT's permanent employees (42.4%) are in FAA's aviation-related occupations<sup>10</sup> with Air Traffic Controllers alone comprising 33.1% of DOT's permanent workforce.

Of DOT's mission critical occupations (MCOs), the Air Traffic Control occupation has the largest share, comprising 47.11%; Transportation Specialist (16.71%) is the second largest MCO. This has been the trend since at least FY 2010. The aggregate

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<sup>10</sup> Aviation-related occupations include Aerospace Engineering, Air Safety Investigation, Air Traffic Assistance, Air Traffic Control, Aircraft Mechanic, Aircraft Operation, and Aviation Safety.

engineering workforce comprised 11.47% of DOT's MCOs in FY 2022, and Aviation Safety employees made up 11.05% of employees in MCOs.

As noted in previous years' reports, DOT's workforce has various occupational fields where women and BIPOC individuals participate at a higher rate than they participate in the civilian labor force, even though, in the aggregate, women's and BIPOC employees' overall workforce participation at DOT is lower than expected. For purposes of workforce occupational analysis, DOT utilizes civilian labor force data as a comparator to determine the Agency's performance with respect to workforce participation for women and BIPOC employees. This allows DOT to determine more accurately how well it fares on workforce diversity for each major occupational field. According to the U.S. Department of Labor, jobs in the transportation field, such as engineering, historically are nontraditional occupations for women and tend to have historically low participation rates for BIPOC individuals<sup>11</sup>; most of DOT's workforce is made up of transportation occupations that are nontraditional for women and people of color. As DOT works to increase diversity across its workforce, this information will support more focused efforts around outreach and recruitment to build a more diverse applicant pool for these occupations.

Figures 10 through 13 illustrate participation rates by gender and for different race/national origin groups in DOT's MCOs, which can then be examined against the Occupational Civilian Labor Force (relevant CLF). In doing so, demographics in DOT's occupations are compared with relevant occupation demographic information.

Figure 10 includes the DOT workforce occupational distribution by gender. In FY 2022, women's participation exceeded the relevant CLF rate in six occupations:

- Miscellaneous Administration (56.75%)
- Management/Program Analyst (66.04%)
- General Engineering (19.47%)
- Civil Engineering (22.44%)
- Electronics Engineering (10.96%)
- Aerospace Engineering (18.76%)

Figure 11 provides the occupational distribution by race and national origin for DOT's workforce in FY 2022. There are several mission critical occupational fields at DOT

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<sup>11</sup> U.S. Department of Labor. Bureau of Labor Statistics. Labor Force Statistics from the Current Population Survey. Accessed April 25, 2023. <https://www.bls.gov/cps/cpsaat11.htm>

where African American/Black employee participation exceeds the expected rate of African American/Black employees in the relevant CLF:

- Miscellaneous Administration (24.57%)
- Management/Program Analyst (32.02%)
- General Engineering (13.09%)
- Civil Engineering (8.09%)
- Electronics Engineering (10.06%)
- Aerospace Engineering (5.85%)

Additionally, African American/Black participation rates increased in these occupational series in the past fiscal year (with the exception of Management/Program Analyst, where there was a slight decrease).

The share of Hispanic/Latino employees participating in various mission critical occupation (MCO) fields in FY 2022 exceeded their relevant CLF expected rates:

- Management/Program Analyst (7.09%)
- General Engineering (8.16%)
- Civil Engineering (13.66%)
- Electronics Engineering (9.61%)
- Transportation Specialist (11.41%)
- Motor Carrier Safety (43.12%)
- Air Traffic Control (9.78%)

Asian participation rates in FY 2022 exceed their relevant CLF expected rates in these MCO series:

- General Engineering (17.44%)
- Civil Engineering (13.20%)
- Electronics Engineering (25.22%)
- Aerospace Engineering (19.00%)
- Air Traffic Control (3.94%)

Asian participation rates in all other MCOs in FY 2022 were, however, lower than their relevant CLF expected rates.

Figures 11 and 12 portray DOT occupational distribution patterns by gender and race/national origin. African American/Black men had higher than expected participation, as compared with the relevant CLF, in the following MCOs:

- Miscellaneous Administration (6.33%)
- Management/Program Analyst (8.14%)
- General Engineering (8.68%)
- Civil Engineering (6.11%)
- Electronics Engineering (7.81%)
- Aerospace Engineering (4.63%)
- Transportation Specialist (8.43%)
- Air Traffic Control (5.71%)

Among the MCOs, African American/Black men had lower-than-expected participation rates only in Transportation Specialist and Motor Carrier Safety.

African American/Black women had higher-than-expected participation rates in:

- Miscellaneous Administration (18.25%)
- Management/Program Analyst (23.88%)
- General Engineering (4.41%)
- Civil Engineering (1.98%)
- Electronics Engineering (2.25%)
- Aerospace Engineering (1.22%)

Hispanic/Latino men had a high participation in the Motor Carrier Safety profession and participated in various MCOs at higher rates than their relevant CLF Latino male counterparts:

- General Engineering (6.12%)
- Civil Engineering (10.00%)
- Electronics Engineering (8.26%)
- Transportation Specialist (10.53%)
- Motor Carrier Safety (37.39%)
- Air Traffic Control (8.12%)

Hispanic/Latino men's participation in other MCOs, including aerospace engineering and management analysts, was lower than the relevant CLF participation rate in FY 2021.

Hispanic/Latina women's participation rates exceeded the relevant CLF rate in:

- Management/Program Analyst (4.92%)
- General Engineering (2.04%)
- Civil Engineering (3.66%)
- Electronics Engineering (1.35%)
- Aerospace Engineering (1.22%)
- Motor Carrier Safety (5.73%)

Asian men participated in various MCOs at higher rates than their relevant CLF counterparts:

- General Engineering (13.82%)
- Civil Engineering (10.53%)
- Electronics Engineering (22.22%)
- Aerospace Engineering (15.35%)
- Air Traffic Control (3.14%)

Asian women's participation rates continued to exceed the relevant CLF rate in:

- General Engineering (3.62%)
- Civil Engineering (2.67%)
- Electronics Engineering (3.00%)
- Aerospace Engineering (3.65%)

### *Persons with Disabilities' Employment and Hiring*

During FY 2022, the Department continued its practice of analyzing Veteran's Preference hiring data to provide a more robust account of workforce participation by persons with disabilities. Historically, DOT has found that many employees who receive Veteran's Preference in the hiring process based on a compensable service-related disability do not voluntarily disclose their disability. As a result, the disability employment data reported based on self-identification data likely undercounts the number of employees with a disability.

For FY 2022, DOT continued its practice of including in its calculations of the disability workforce those individuals who elected not to identify their specific disability. This was done based on changes to the self-identification form in 2016, where the definition of

the “non-identified” category was changed from “I do not wish to disclose my disability status” to “I do not wish to identify my specific disability or serious medical condition.” DOT determined that this language change likely meant that individuals who selected the “non-identified” category on the self-identification form were persons with a disability who chose not to disclose the specific nature of that disability. In FY 2022, 10.51% of the DOT workforce specified a disability, and an additional 6.27% of the workforce indicated an unspecified (i.e., non-identified) disability. (Figure 14). In total, 16.78% of the workforce identified as having a specified or unspecified disability, exceeding the 12% benchmark required by 29 C.F.R. § 1614.203(d)(7)(i).

Veterans’ preference status also has the potential to provide information on disability. In FY 2022, 18.70% of the DOT workforce had either a specified disability or a veterans’ preference status indicating disability (or both), and an additional 4.05% of the workforce indicated an unspecified disability, for a minimum of 22.75% of the workforce that identified as having a disability at one time.<sup>12</sup>

The share of total PWD hires in FY 2022 exceeded the 12% target goal even when considering only individuals who specified the nature of their disability (14.20%); nearly one third of all hires in FY 2022 indicated a specified or unspecified disability (31.16%).

### *FY 2022 Hiring and Separation Trends*

DOT hiring data by gender shows that its rate of hiring women in FY 2022 was higher than DOT’s women’s workforce participation rate. During the past year, approximately one third of all hires were women (36.59%), as compared to the workforce participation rate of 26.41%.

The FY 2022 hiring rate of African American/Black (17.93%), Hispanic/Latino (13.58%), and Asian (10.28%) populations all exceeded current workforce participation rates. The hiring rate of Black or African American women (9.43%) exceeded that of Black or African American men (8.49%). In all other race and national origin groups, the hiring rate of men was higher than that of women. Despite this, the hiring rates of Latinas and of Asian women were approximately twice as high as their current workforce participation rates (4.77% versus 2.29% for Latinas, 3.47% versus 1.80% for Asian women).

In FY 2022, separation rates of all race and ethnicity groups fell within 1% of their participation rates. Employees who identify as White or as Two or More Races had

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<sup>12</sup> DOT reviewed workforce data to ensure that no employees were double-counted in the disability data analysis.

slightly higher separation than participation rates, and all other groups had lower separation than participation rates.

## **Part E.4. Executive Summary: Accomplishments**

### Highlights of DOT's FY 2022 Accomplishments

#### *Diversity, Equity, Inclusion, and Accessibility*

In FY 2022, DOT issued its DEIA Strategic Plan for FY 2022 through FY 2026. Although DOCR and DOHRM lead DOT's Workforce Equity Team and developed the DEIA Strategic Plan, DEIA is a whole-DOT initiative and responsibility. The DEIA Strategic Plan sets the expectation and commitment that DEIA will be a priority throughout all DOT program offices and lines of business.

The plan includes more than 80 actions and activities organized around five focus areas: outreach, recruitment, and hiring; leadership and professional development; retention; workplace culture; and accountability.

FTA appointed its first Chief Diversity Officer (CDO) and DEIA Program Manager. The CDO has direct oversight and authority to coordinate and lead diversity and equity strategic priorities across FTA. All of FTA's senior leadership took DEIA training and were assigned the task of developing individual action plans for their respective areas.

FAA established a team to lead the implementation of FAA's first Diversity and Inclusion Strategic Plan. FAA also implemented a DEIA Scorecard program to provide each FAA line of business or office with current workforce demographic data, as well as best practices and recommendations for improvement. To improve representation in the workforce, FAA participated in hiring events focused on persons with targeted disabilities (PWTD) at numerous locations across the country.

FHWA continues to implement a Recruitment, Outreach, and Diversity plan that focuses on increasing the number of applicants with disabilities by increasing outreach efforts, including by attending hiring fairs, engaging in classrooms, and collaborating with disability affinity groups.

FMCSA developed the Recruitment Technical Advisory Group (R-TAG). The R-TAG consists of volunteers who serve 1-year terms and proactively seek out external stakeholders to promote FMCSA's brand and implement creative new approaches to reaching the next generation of talent. They also participate career fairs and other events, leverage social media, and redevelop the information on the agency's website

so FMCSA has readily available resources that are up to date and accurately reflect the skills needed in positions today and in the future.

### *Departmental EEO Processing*

DOCR entered FY 2021 with a backlog of EEO investigations and Final Agency Decisions (FADs). During FY 2021, DOCR eliminated the entire EEO investigations backlog and is timely processing all complaints. DOCR worked throughout FY 2022 to eliminate the FAD backlog, and completely eliminated it during FY 2023. To maintain timely EEO complaint and FADS, DOCR holds regular status update meetings with OA EEO Directors to discuss internal and external complaint processing and other model EEO program goals and objectives.

### *Departmental Anti-Harassment Policy and Program*

In FY 2022, DOT strengthened its Anti-Harassment Program, which is designed to address incidents or allegations of unlawful harassment under Federal anti-discrimination laws, as well as inappropriate conduct that may not rise to the level of unlawful harassment but could become a basis for complaints and/or grievances if left unaddressed. DOT's OAs continued developing the required anti-harassment programs to include training to educate employees and managers on how to maintain a harassment-free workplace.

DOCR and DOHRM supported the program's implementation throughout FY 2022 through a Community of Practice (CoP) for all Anti-Harassment Coordinators. The CoP, which meets quarterly, provides OA Coordinators with a forum to share updates on their Anti-Harassment Program activities and obtain guidance from DOCR and DOHRM. DOCR and DOHRM also conduct an annual review of OA anti-harassment programs to ensure compliance with Departmental policy and identify best practices.

### *Anti-discrimination, Anti-harassment, EEO, and DEIA Trainings and Outreach*

DOT and its OAs hosted many trainings throughout FY 2022 to support a safe and inclusive workplace culture. Many of these trainings focused on EEO and nondiscrimination topics, including reasonable accommodation, while others focused on improving communication skills to create a more productive and civil work environment. For example, DOT's New Employee Orientation includes a section on EEO rights and responsibilities, and provides the points of contact for the EEO and anti-harassment programs in each OA.

In addition, all OAs hosted regular trainings on their anti-harassment programs and creating a safe workplace culture. FHWA hosted an online series of prevention of harassment training sessions with the topic centered around respect in the workplace. NHTSA coordinated evidence-based training on Implicit Bias Awareness and Mitigation to the workforce from the National Institute on Race and Equity at Morehouse College, an HBCU. This training was required for all new employees as well as managers, team leads, and supervisors. NHTSA also collaborated with Employee Resource Groups. NHTSA hosted an information session with Muslim Americans for Public Service (MAPS) and Federal Asian Pacific American Council (FAPAC) to share information about their group's structure, mission, membership, accomplishments, and contact information.

### *Proactive Prevention of Unlawful Discrimination*

DOT continues to take proactive steps to ensure equal employment opportunities for its employees and applicants, including providing managers and supervisors with tools to improve communication skills and recognize potential EEO issues before they become actionable. Diversity, inclusion, and EEO continue to be essential components in manager and SES performance planning.

During FY 2022, Secretary Buttigieg issued Civil Rights Policy Statements on EEO, No FEAR Act rights and responsibilities, harassment, and the employment and advancement of people with disabilities. DOT posted those statements in its headquarters offices as well as on its public website. DOT also enhanced its No FEAR Act training to cover these Secretarial statements.

In FY 2022, FAA issued policy statements on EEO and the Prevention of Harassment in support of equal employment opportunity, diversity, and a workplace free of discriminatory harassment. MARAD issued Administrative Orders on Anti-Harassment and EEO policies to all employees to foster a work environment free of discrimination. NHTSA posts permanent placards and links in their electronic Daily Communicator newsletter to policy statements on Equal Employment Opportunity, anti-harassment, and diversity. FMCSA issued EEO Policy Statements (including the Prevention of Harassment) to all employees to inform the workforce about its obligation to create and maintain a discrimination-free workplace.

DOT offers dynamic executive coaching to GS-15 managers and members of the SES to improve leadership performance and employee engagement. Among other things, the

executive coaching program helps managers address assumptions and communication barriers that may negatively impact inclusion.

DOCR offers an Executive Communication workshop and an Employee Communications workshop designed to educate on critical communication skills and how to effectively handle challenging conversations or situations.

In FY 2022, FAA's Office of Civil Rights launched a Civil Rights App to help users better understand civil rights laws, policies, and regulations relating to the EEO complaint process, and reasonable accommodations.

FAA continued to implement its Aviation Development Program (ADP) pilot, which seeks to increase employment participation by persons with targeted disabilities in the air traffic control field by utilizing the Schedule A direct hiring authority. FAA had three Phase 2 candidates complete Air Traffic Basics course and began their first year work experience at their selected facilities. Once completed, they will move on to the FAA Air Traffic Academy to complete their Air Traffic Controller training.

FHWA delivered five in-person multi-day Employee Relations Bootcamps for supervisors, managers, and team leaders covering topics including prohibited personnel practices, EEO rights and responsibilities, the anti-harassment program, and reasonable accommodations.

### *Efforts to Create a Model Equal Employment Opportunity Workplace*

#### Human Capital Operating Plan

During FY 2022, the Department updated its Human Capital Operating Plan (HCOP). The HCOP identifies four strategic priorities, and associated actions, that have been identified for the DOT HR community:

- Strategic Priority 1: Create HR Efficiencies
- Strategic Priority 2: Talent Management
- Strategic Priority 3: Performance Culture and Engagement
- Strategic Priority 4: Evaluation

Diversity, equity, inclusion, and accessibility measures are integrated into each of the four objectives. For example, in the Talent Management area, the HCOP identifies progress indicators increasing diversity of the applicant pool for DOT's mission critical occupations with a focus on increasing gender diversity and identifying opportunities

where there is a current underrepresentation of people of color, formerly incarcerated individuals, and people with disabilities. DOCR and DOHRM work jointly to develop and review workforce data to track DOT's progress on the diversity-related metrics in the HCOP.

### Mentoring Opportunities

In FY 2022, the Department continued its 12-month departmental employee mentoring program, which provides opportunities for employees to build strategic relationships and gain a broader perspective of DOT's mission and future; it also provides opportunities to gain additional professional development support.

### Internship Opportunities

The Department expanded outreach opportunities for students of diverse backgrounds to learn about career opportunities through its Summer Transportation Internship Program for Diverse Groups (STIPDG). In FY 2022, 55% of STIPDG participants were women and 61% were students of color. Disaggregated by race or ethnicity, 28% of interns identified as Black or African American; 16% as Hispanic/Latino; and 14% as Asian. The Department also hosts interns from other internship programs, including Future Leaders in Public Service.

### Career Path Guides

DOHRM's Human Capital Planning and Solution Division continued to promote usage of the DOT Career Path Guides to the workforce for major occupational series. The Guides are available on the Department's intranet to all employees and are designed to assist employees in identifying the competencies and technical skills required to progress in each occupational series.

### Workforce Dashboard

FTA's Office of Administration developed a dashboard providing demographic analysis of FTA regional offices compared with the public they serve. Each office was provided its respective report to gain a better perspective of the diverse makeup of their offices, along with a supplemental guide for hiring managers to view the demographic analysis and understand how to use this data.

### *Special Emphasis Programs*

Throughout FY 2022, DOT and its OAs held a variety of special emphasis program events and observances to commemorate and celebrate special emphasis months. FHWA's Office of Civil Rights hosted several monthly observances to provide cultural awareness, enhance the workplace environment by promoting diversity, and to celebrate and recognize achievements in transportation and public service.

FRA conducted special emphasis program events that celebrated cultures and broadened DEIA awareness. FTA realigned functions to strengthen its special emphasis program and lead agency-wide observances with distribution of all-staff monthly sociocultural awareness facts and information. MARAD either led or participated in nine special emphasis program activities helping to raise cultural awareness with a goal of encouraging employees to appreciate, value, understand, and celebrate similarities and differences. NHTSA hosted seven special emphasis program observances, as well as a new series entitled Cultural Illuminations, designed to enhance employee engagement and promote diversity, equity, inclusion, and accessibility.

## **Part E.5. Executive Summary: Planned Activities**

### DOT DEIA Strategic Plan

In FY 2023, DOOCR and DOHRM will continue to oversee implementation of the DOT DEIA Strategic Plan. To that end, DOT has established a DEIA Implementation Work Group to take action and track DEIA activities. This will include:

- Continuing a deep-dive analysis of the employee lifecycle, with a focus on disability data, retention, and professional development.
- Establishing regular professional development opportunities for GS-13 to GS-15 DOT employees. Following a pilot event, *Leaning into Leadership*, which occurred in June 2023, DOOCR and DOHRM will establish regular professional development events for DOT employees designed to build supervisory and leadership skills and to support employees in preparing for Senior Executive Service.
- Building upon work done during FY 2022, in FY 2023, DOT will provide materials, attend events, and host interns through three organizations serving formerly incarcerated individuals and individuals with convictions.

### DOT Gender Justice Action Plan

DOT finalized a Gender Justice Action Plan in FY 2022, which included a specific goal to increase gender diversity at DOT, with a focus on mission critical occupations and leadership positions.

### Updated Human Capital Operating Plan

DOT is creating a FY 2024-2026 HCOP, which will continue to incorporate elements from the DOT Strategic Plan and DOT DEIA Strategic Plan in support of efforts and strategies to increase diversity in the DOT workforce.

#### DOT Historically Black Colleges and Universities (HBCU) Agency Action Plan

DOCR will continue to lead internal coordination and implementation of DOT's HBCU Annual Agency Action Plan. For example, DOCR is partnering with offices within OST and the OAs to establish goals and metrics, measure successes, identify and address gaps and barriers, and track outreach with HBCU stakeholders. DOT is considering a Departmental internship program to broaden requirements to increase HBCU student participation at both the undergraduate and graduate levels. DOT's OAs are forming HBCU Initiative Program Teams to identify and address barriers and implement DOT's HBCU Annual Agency Plan.

HBCUs may participate in several programs and initiatives at DOT, such as the Small Business Transportation Resource Centers (SBTRCs) Program and the Competitive Academic Agreement Program (CAAP). HBCU students may participate in the Summer Transportation Internship Program for Diverse Groups (STIPDG) and the Dwight David Eisenhower Transportation Fellowship Program (DDETFP).

#### Civil Rights and Human Resources Partnerships

DOCR will continue to partner closely with DOHRM to oversee the Department's Anti-Harassment Program, reasonable accommodations processing, and Employee Resource Group Council.

In FY 2023 and FY 2024, DOCR and DOHRM plan to work closely with the OAs to update the Departmental Anti-Harassment Policy and strengthen the Departmental Anti-Harassment Program.

DOCR will also continue to partner with DOHRM to oversee the Department's reasonable accommodation process. This will include overseeing OA implementation of the Departmental Reasonable Accommodation Order, as well as developing a DOT policy on religious accommodations and materials related to the implementation of the Pregnant Workers Fairness Act.

In FY 2023, DOCR and DOHRM plan to re-establish DOT's Employee Resource Groups (ERG) Council. In addition to providing guidance about establishing an ERG, DOCR and DOHRM will use the council to provide support to ERGs, as well as to connect with ERGs to advance important DEIA initiatives related to outreach, recruitment, and professional development.



Figure 1: DOT Total Workforce Participation, FY 2012-2022

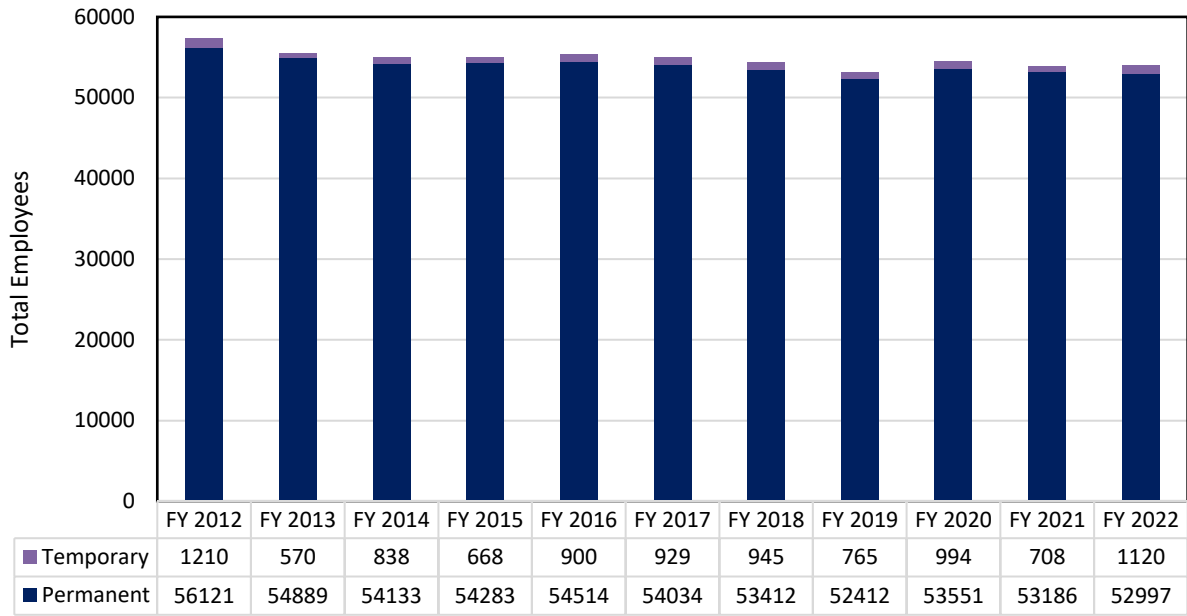
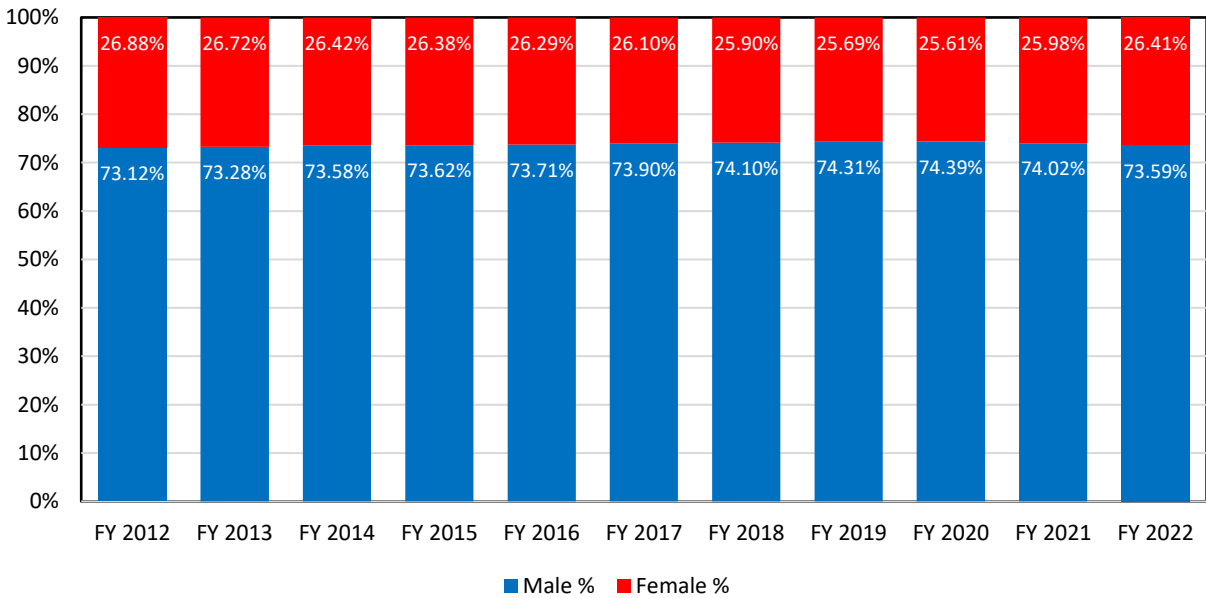


Figure 2: DOT Workforce Participation by Gender, FY 2012-2022



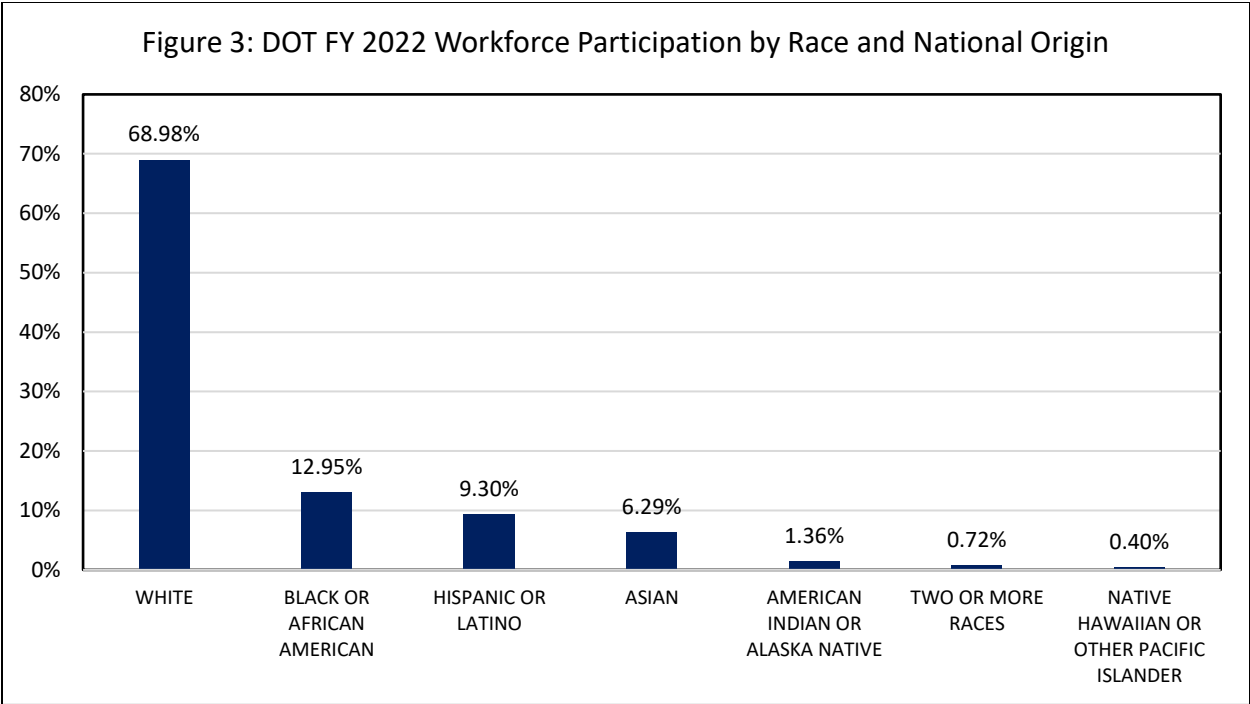
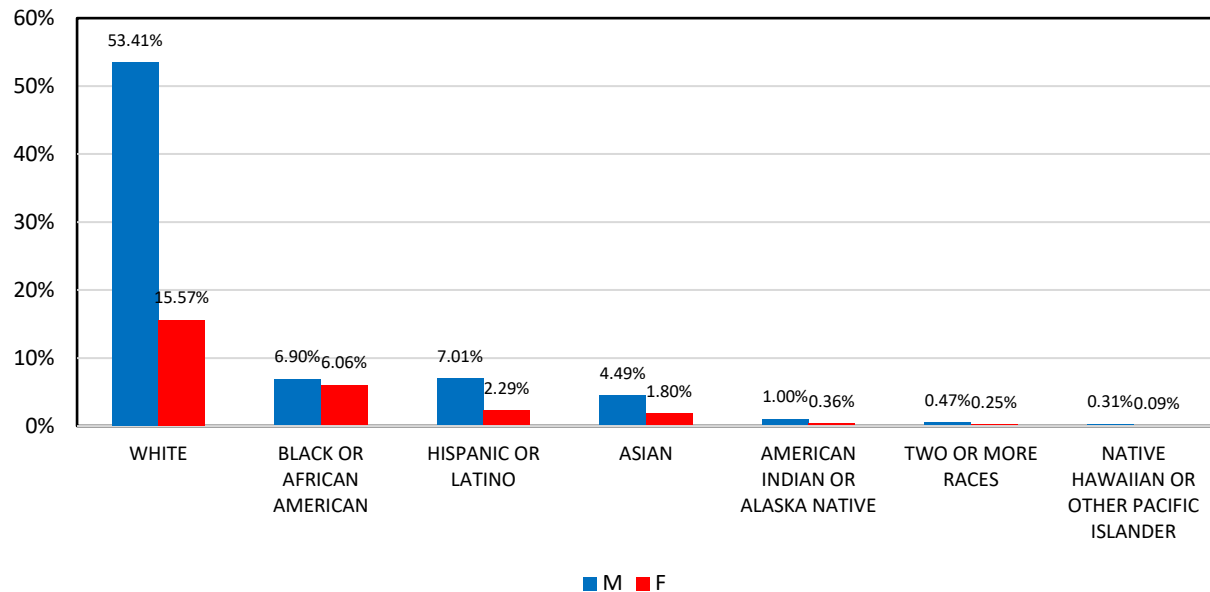


Figure 4: DOT FY 2022 Workforce Participation by Gender and Race/Ethnicity



**Table 1: Workforce Participation Rate Change by Race and National Origin from FY 2012 to FY 2022**

|   |         |
|---|---------|
| Two Or More Races                         | +53.45% |
| Native Hawaiian Or Other Pacific Islander | +31.94% |
| Asian                                     | +26.63% |
| Hispanic Or Latino                        | +21.22% |
| Black Or African American                 | +3.27%  |
| American Indian Or Alaska Native          | -10.33% |
| White                                     | -15.33% |

Figure 5: DOT FY 2022 Workforce Participation by Gender for GS-13 to SES Grade Levels

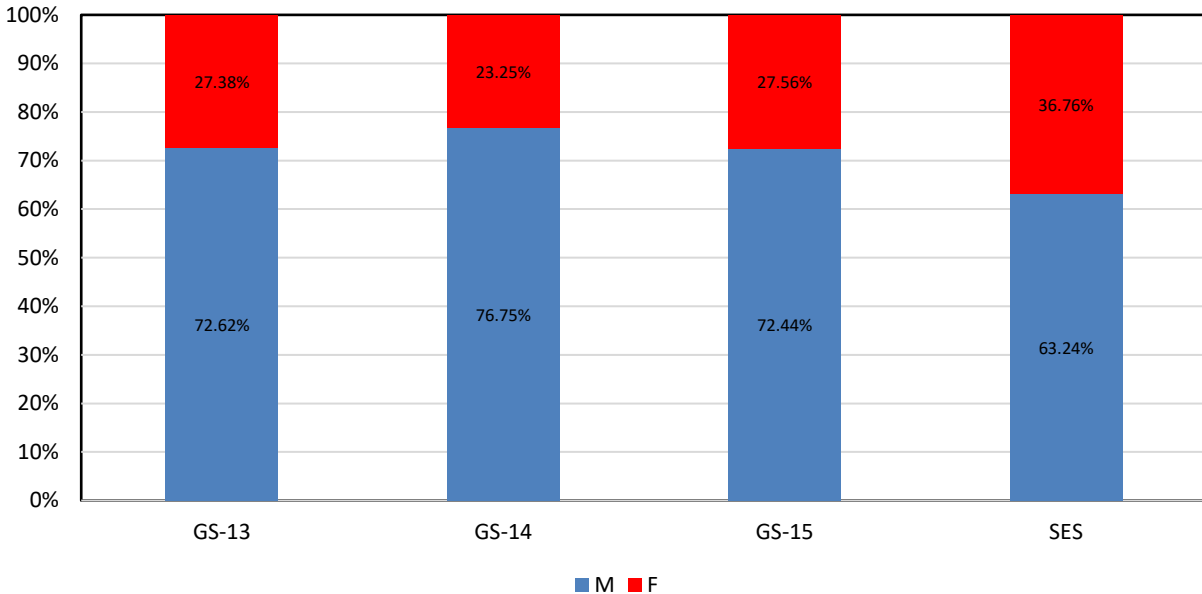


Figure 6: DOT FY 2022 Workforce Participation by Race/Ethnicity GS-13 through SES

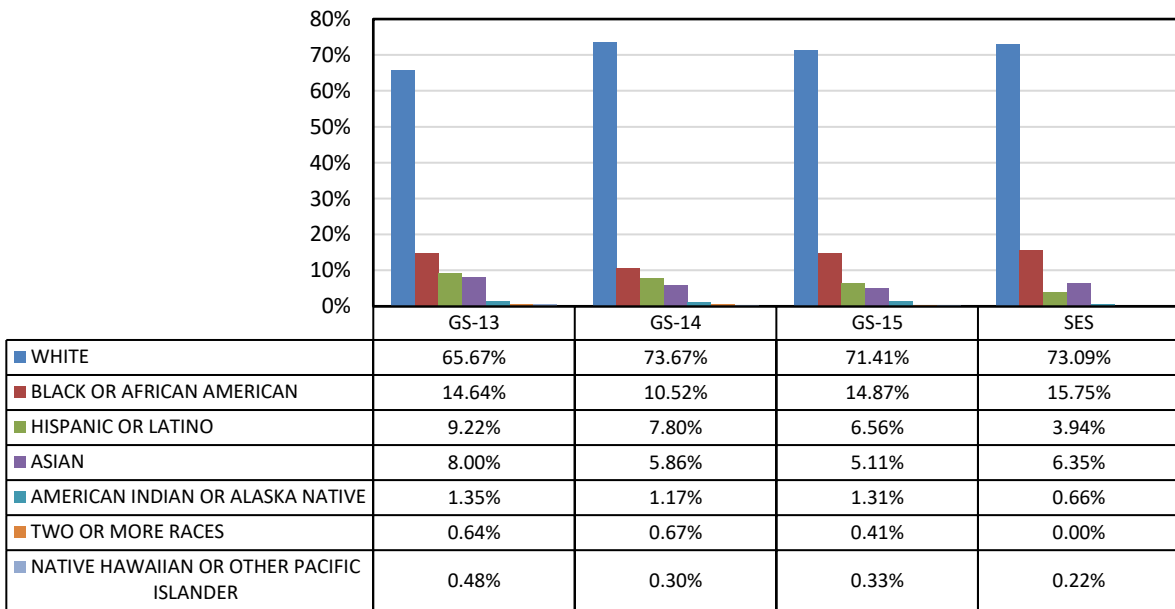


Figure 7: FY 2022 DOT Male Workforce Participation by Race/Ethnicity, GS-13 to SES  
Grade Levels (As share of total workforce in grade)

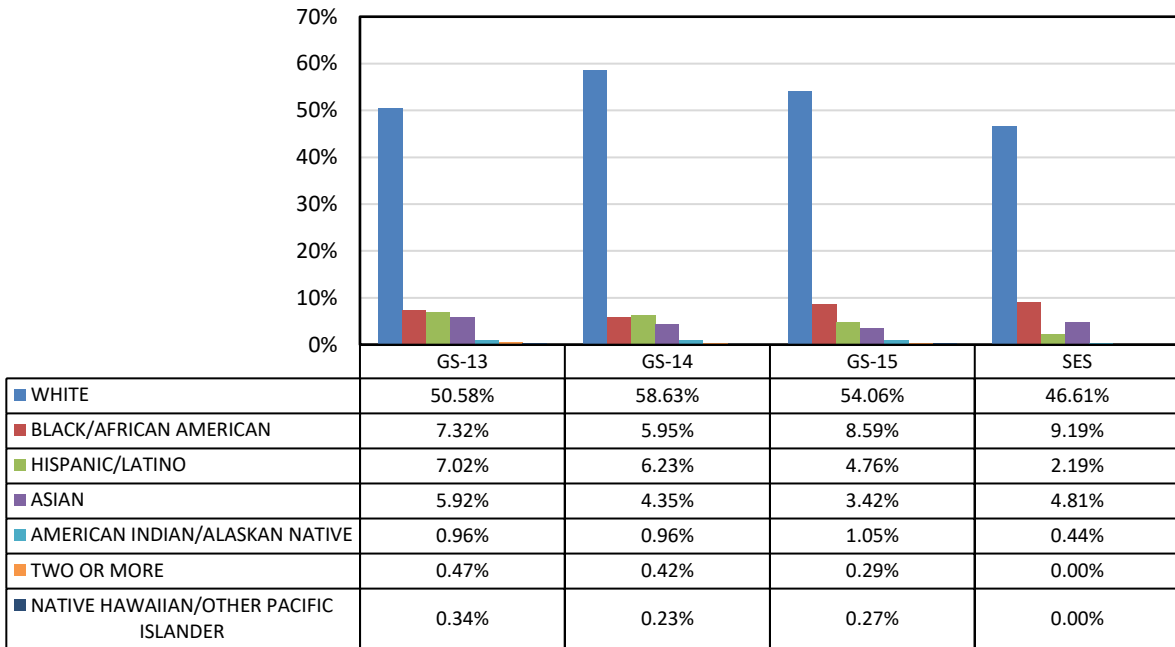


Figure 9: DOT FY 2022 Workforce Distribution for GS-13 to SES Grade Levels by Gender

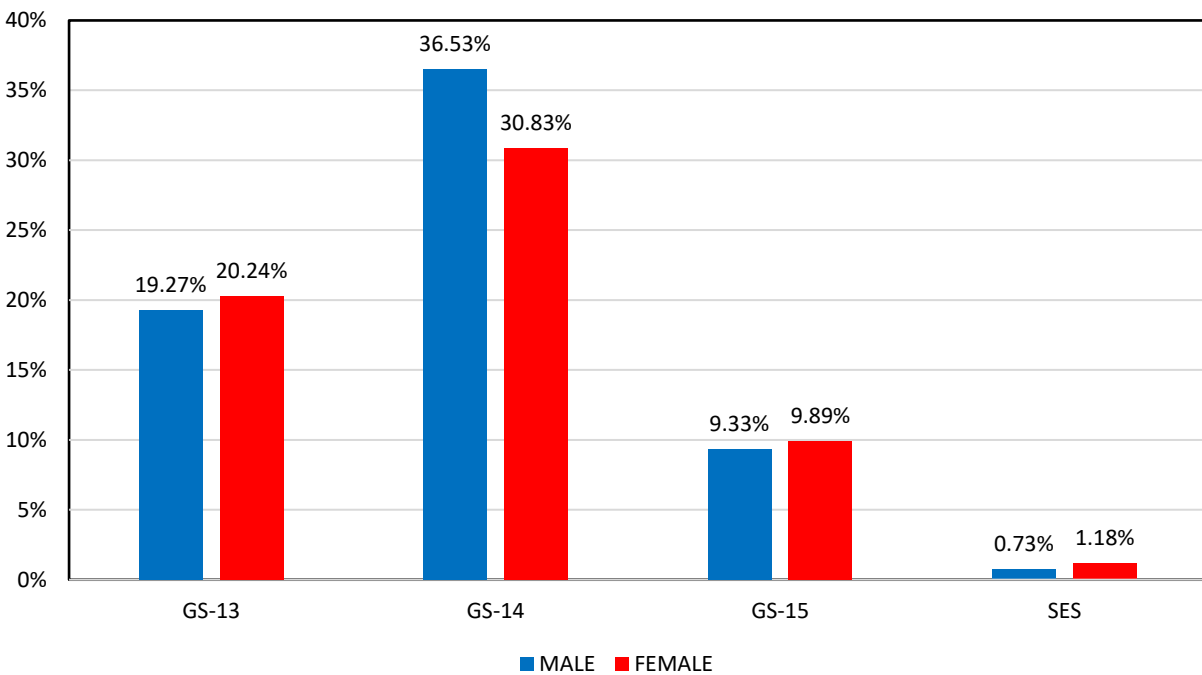


Figure 10: DOT FY 2022 Workforce Participation by Gender for Mission Critical Occupations

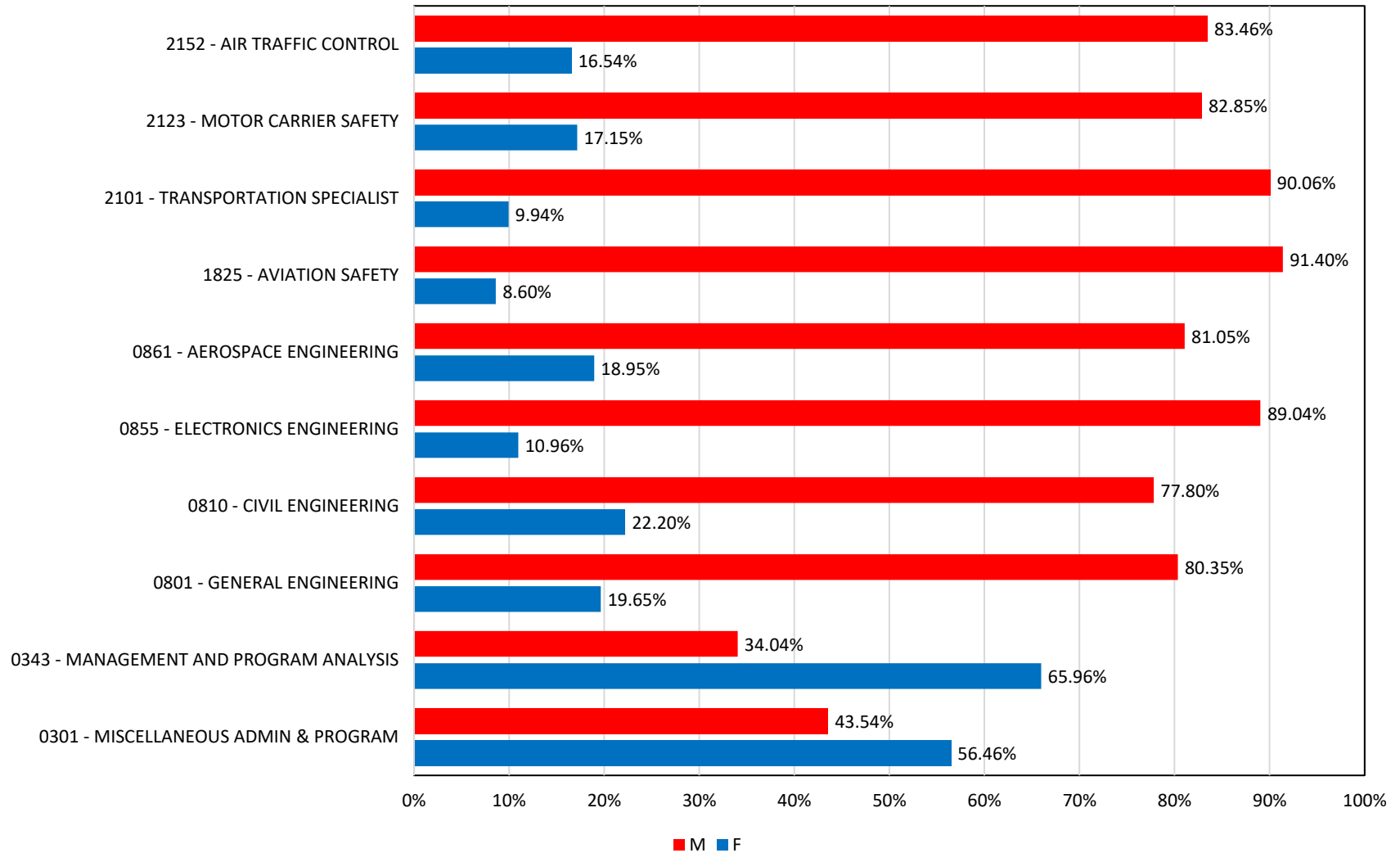


Figure 11: DOT FY 2022 Workforce Participation by Race/Ethnicity for Mission Critical Occupations

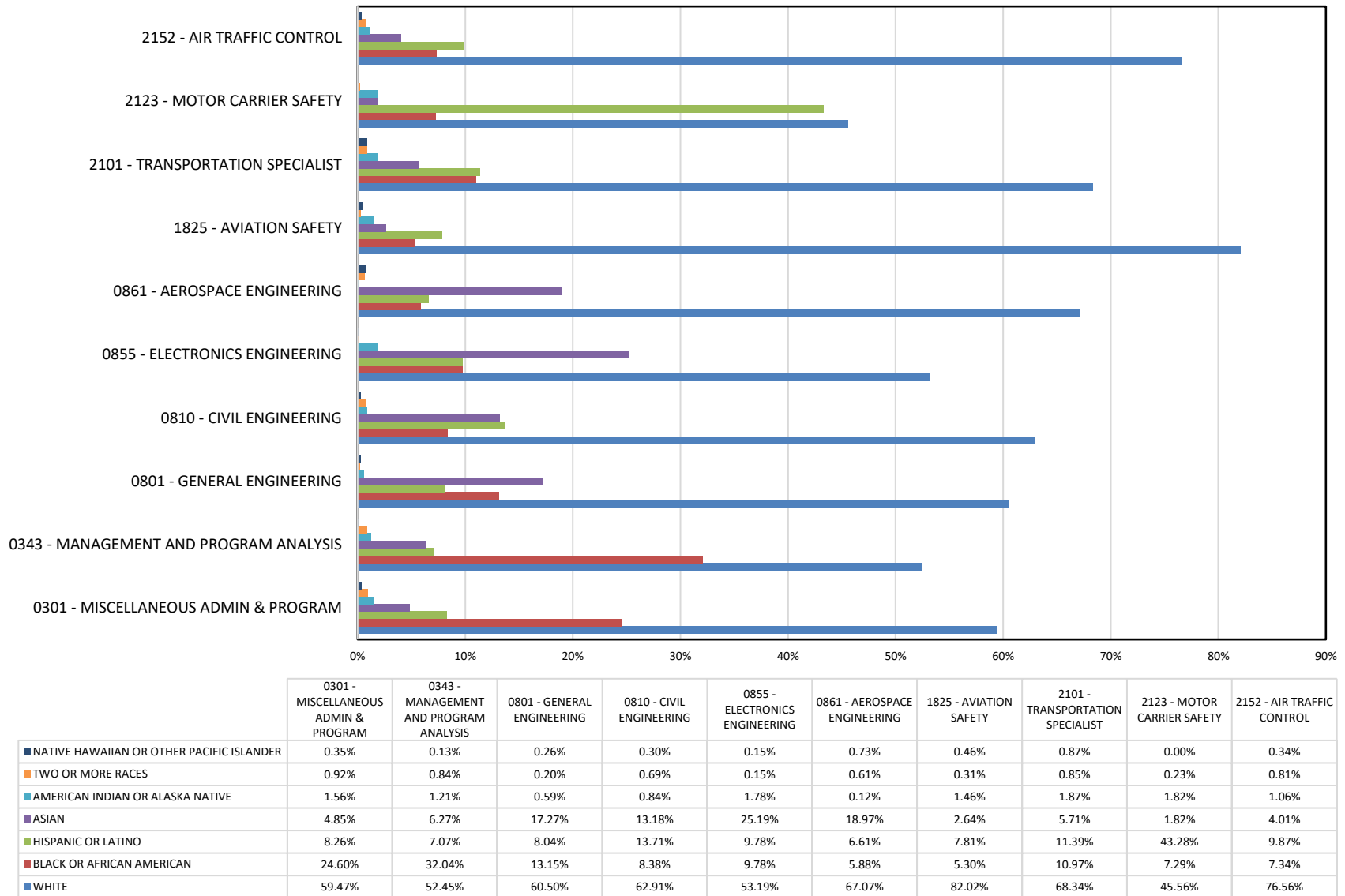


Figure 12: DOT FY 2022 Men's Workforce Participation by Race/Ethnicity for Misison Critical Occupations

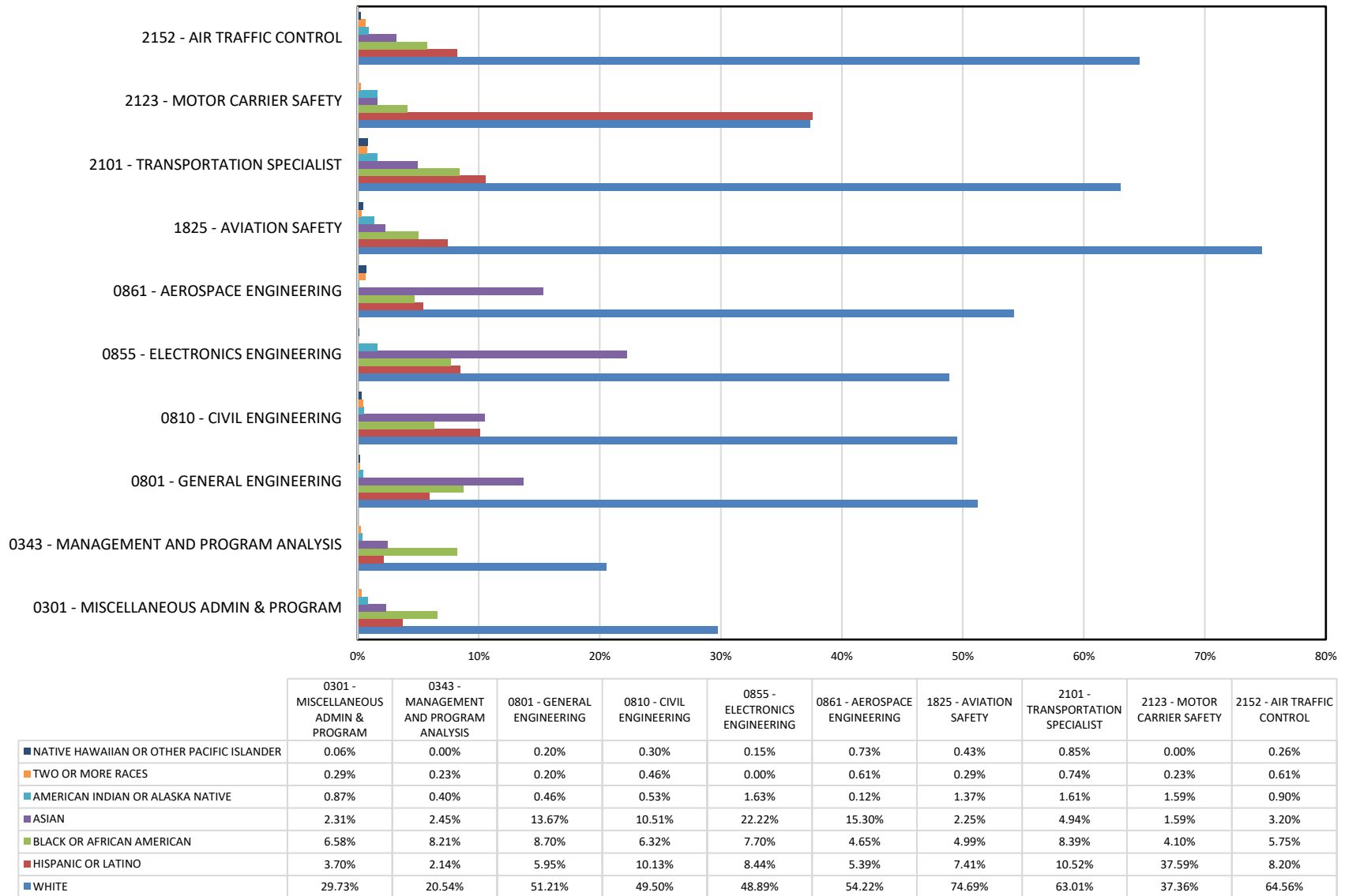
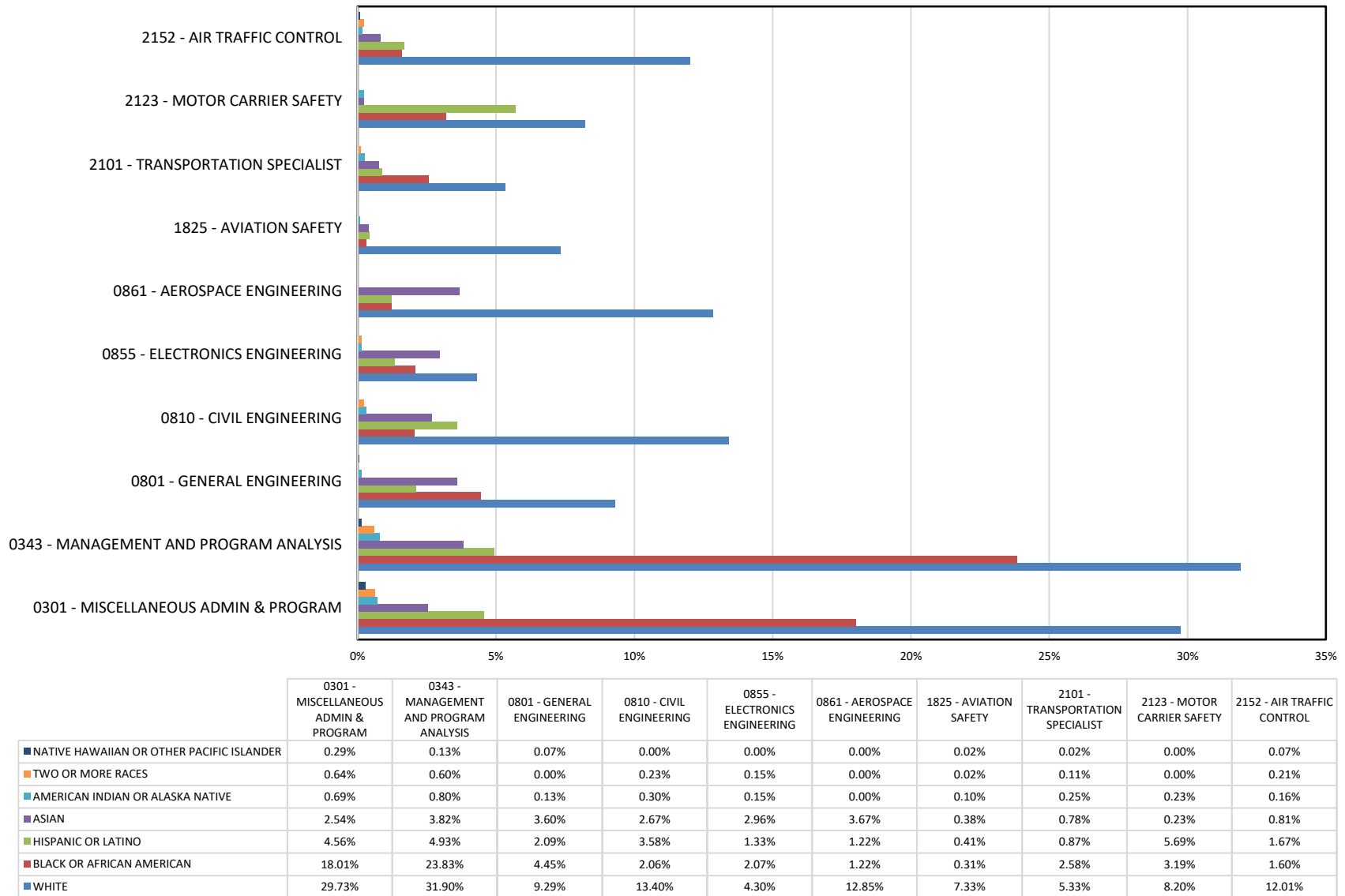


Figure 13: DOT FY 2022 Women's Workforce Participation by Race/Ethnicity for Misison Critical Occupations

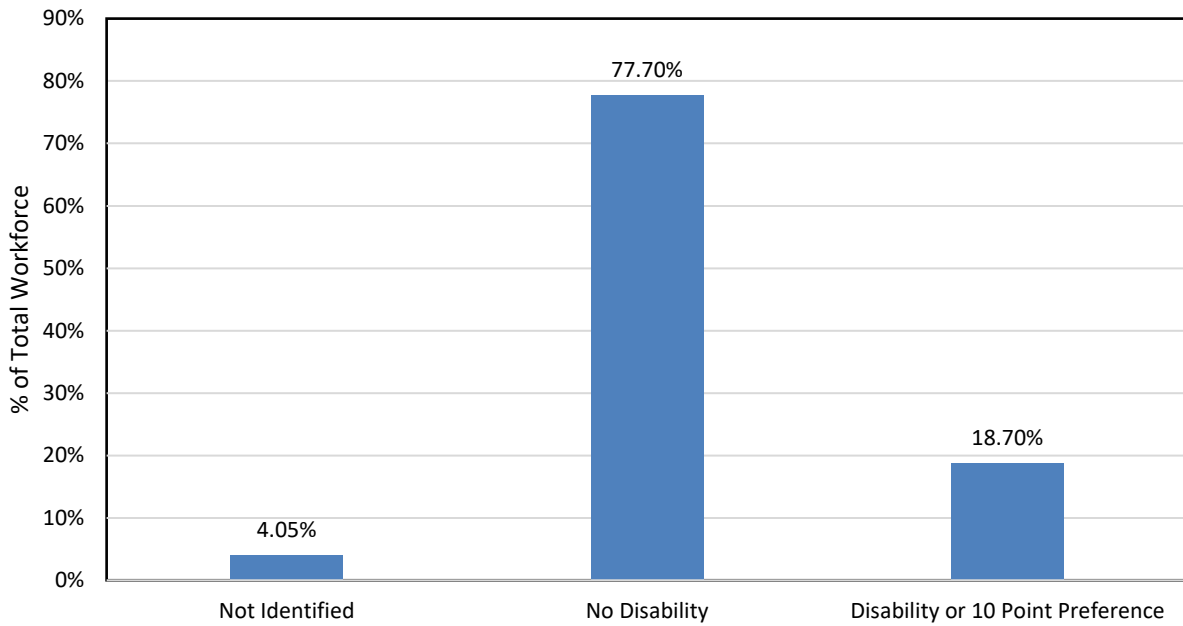


| Table 2: DOT FY 2022 Hires by Race/Ethnicity and Gender |           |        |       |                  |                              |      |                |                              |
|---|-----------|--------|-------|------------------|------------------------------|------|----------------|------------------------------|
| Race/Ethnicity  | All Hires |        | Women |                  |                              | Men  |                |                              |
|   | #         | %      | #     | % of Women Hires | % of Race/Ethnic Group Hires | #    | % of Men Hires | % of Race/Ethnic Group Hires |
| White   | 1909      | 54.23% | 614   | 47.67%           | 32.16%                       | 1295 | 58.02%         | 67.84%                       |
| Hispanic or Latino                                      | 478       | 13.58% | 168   | 13.04%           | 35.15%                       | 310  | 13.89%         | 64.85%                       |
| Black or African American                               | 631       | 17.93% | 332   | 25.78%           | 52.61%                       | 299  | 13.40%         | 47.39%                       |
| Asian   | 362       | 10.28% | 122   | 9.47%            | 33.70%                       | 240  | 10.75%         | 66.30%                       |
| Native Hawaiian or Other Pacific Islander               | 20        | 0.57%  | 8     | 0.62%            | 40.00%                       | 12   | 0.54%          | 60.00%                       |
| American Indian or Alaska Native                        | 45        | 1.28%  | 19    | 1.48%            | 42.22%                       | 26   | 1.16%          | 57.78%                       |
| Two or More Races                                       | 34        | 0.97%  | 14    | 1.09%            | 41.18%                       | 20   | 0.90%          | 58.82%                       |
| None Specified  | 41        | 1.16%  | 11    | 0.85%            | 26.83%                       | 30   | 1.34%          | 73.17%                       |
| <b>Total</b>  | 3520      |        | 1288  |                  | 36.59%                       | 2232 |                | 63.41%                       |

| Table 3: DOT FY 2022 Separations by Race/Ethnicity and Gender |                 |             |             |             |                        |             |             |                        |
|---|-----------------|-------------|-------------|-------------|------------------------|-------------|-------------|------------------------|
| Race or Ethnicity   | All Separations |             | Women       |             |                        | Men         |             |                        |
|   | #               | %           | #           | % of Women  | % of Race/Ethnic Group | #           | % of Men    | % of Race/Ethnic Group |
| White   | 2752            | 69.15 %     | 638         | 59.79%      | 23.18%                 | 2114        | 72.57%      | 76.82%                 |
| Hispanic or Latino  | 363             | 9.12%       | 93          | 8.72%       | 25.62%                 | 270         | 9.27%       | 74.38%                 |
| Black or African American                                     | 502             | 12.61 %     | 229         | 21.46%      | 45.62%                 | 273         | 9.37%       | 54.38%                 |
| Asian   | 244             | 6.13%       | 72          | 6.75%       | 29.51%                 | 172         | 5.90%       | 70.49%                 |
| Native Hawaiian or Other Pacific Islander                     | 13              | 0.33%       | 3           | 0.28%       | 23.08%                 | 10          | 0.34%       | 76.92%                 |
| American Indian or Alaska Native                              | 50              | 1.26%       | 9           | 0.84%       | 18.00%                 | 41          | 1.41%       | 82.00%                 |
| Two or More Races   | 47              | 1.18%       | 21          | 1.97%       | 44.68%                 | 26          | 0.89%       | 55.32%                 |
| None Specified  | 9               | 0.23%       | 2           | 0.19%       | 22.22%                 | 7           | 0.24%       | 77.78%                 |
| <b>Total</b>  | <b>3980</b>     | <b>100%</b> | <b>1067</b> | <b>100%</b> |                        | <b>2913</b> | <b>100%</b> |                        |

EEOC FORM  
*U.S. Equal Employment Opportunity Commission*  
FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

**Figure 14: DOT FY 2022 Workforce Participation  
by Disability Status**



EEOC FORM  
U.S. Equal Employment Opportunity Commission

FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

|  |   |
|--|---|
| <b>EEOC FORM<br/>715-02<br/>Part F</b> | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |
| <b>Department of Transportation</b>    | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>                                       |

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

I, Irene Marion, Director, Departmental Office of Civil Rights, am the Principal EEO Director/Official for the U.S. Department of Transportation.

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 EEO MD-715 standards, DOCR conducted a further evaluation and, as appropriate, included EEO Plans for Attaining the Essential Elements of a Model EEO Program with this Federal Agency Annual EEO Program Status Report.

The Agency also has analyzed its workforce 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, sex, 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 Agency Head or Agency Head Designee

Date



August 30, 2023

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

Date

Irene B. Marion

August 30, 2023

## **MD-715 - PART G**

### **Agency Self-Assessment Checklist**

The Part G Self-Assessment Checklist is a series of questions designed to provide federal agencies with an effective means for conducting the annual self-assessment required in Part F of MD-715. This self-assessment permits EEO Directors to recognize, and to highlight for their senior staff, deficiencies in their EEO program that the agency must address to comply with MD-715's requirements. Nothing in Part G prevents agencies from establishing additional practices that exceed the requirements set forth in this checklist.

All agencies will be required to submit Part G to EEOC. Although agencies need not submit documentation to support their Part G responses, they must maintain such documentation on file and make it available to EEOC upon request.





The Part G checklist is organized to track the MD-715 essential elements. As a result, a single substantive matter may appear in several different sections, but in different contexts. For example, questions about establishing an anti-harassment policy fall within Element C (Management and Program Accountability), while questions about providing training under the anti-harassment policy are found in Element A (Demonstrated Commitment from Agency Leadership).

For each MD-715 essential element, the Part G checklist provides a series of "compliance indicators." Each compliance indicator, in turn, contains a series of "yes/no" questions, called "measures." To the right of the measures, there are two columns, one for the agency to answer the measure with "Yes", "No", or "NA;" and the second column for the agency to provide "comments", if necessary. Agencies should briefly explain any "N/A" answer in the comments. For example, many of the sub-component agencies are not responsible for issuing final agency decisions (FADs) in the EEO complaint process, so it may answer questions about FAD timeliness with "NA" and explain in the comments column that the parent agency drafts all FADs.

A "No" response to any measure in Part G is a program deficiency. For each such "No" response, an agency will be required in Part H to identify a plan for correcting the identified deficiency. If one or more sub-components answer "No" to a particular question, the agency-wide/parent agency's report should also include that "No" response.



## MD-715 - PART G



### Agency Self-Assessment Checklist



|  |   |                                 |                 |
|--|---|---------------------------------|-----------------|
| <br><b>Compliance Indicator</b><br><br><b>Measures</b>   | <b>A.1 – The agency issues an effective, up-to-date EEO policy statement.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b> |
| <b>A.1.a</b>   | 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)]      | Yes                             |                 |
| <b>A.1.b</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)] | Yes                             |                 |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>A.2 – The agency has communicated EEO policies and procedures to all employees.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b> |
| <b>A.2.a</b>   | Does the agency disseminate the following policies and procedures to all employees:   |                                 |                 |
| <b>A.2.a.1</b>   | Anti-harassment policy? [see MD 715, II(A)]   | Yes                             |                 |
| <b>A.2.a.2</b>   | Reasonable accommodation procedures? [see 29 C.F.R § 1614.203(d)(3)]  | Yes                             |                 |
| <b>A.2.b</b>   | Does the agency prominently post the following information throughout the workplace and on its public website:  |                                 |                 |



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| <b>A.2.b.1</b> | 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)] | Yes |   |
| <b>A.2.b.2</b> | Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 C.F.R § 1614.102(b)(5)]      | Yes |   |
| <b>A.2.b.3</b> | Reasonable accommodation procedures? [see 29 C.F.R. § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.                 | Yes | <a href="https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/procedures-processing-reasonable-accommodation">https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/procedures-processing-reasonable-accommodation</a> |
| <b>A.2.c</b>   | Does the agency inform its employees about the following topics:  |     |   |
| <b>A.2.c.1</b> | EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If “yes”, please provide how often.   | Yes | Employees are informed during onboarding and every two years thereafter. This information also is provided annually through the Secretarial policy statements and is available on DOT’s internal and public facing websites.  |
| <b>A.2.c.2</b> | ADR process? [see MD-110, Ch. 3(II)(C)] If “yes”, please provide how often.   | Yes | This information is provided during onboarding and every two years thereafter. DOT’s Center for ADR also hosts many trainings throughout the year, and information about ADR is posted on DOT’s internal and public facing websites.                                      |
| <b>A.2.c.3</b> | Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If “yes”, please provide how often.  | Yes | Employees are informed during   |



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|                |   |     | onboarding and every two years thereafter. This information also is provided annually through the Secretarial policy statements and is available on DOT's internal and public facing websites.   |
| <b>A.2.c.4</b> | 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. | Yes | Employees are informed during onboarding and every year. This information also is provided annually through the Secretarial policy statements and is available on DOT's internal and public facing websites.   |
| <b>A.2.c.5</b> | Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR § 2635.101(b)] If "yes", please provide how often.                                | Yes | Employees are informed during onboarding and every two years thereafter. This information also is provided annually through the Secretarial policy statements, is available on DOT's internal and public facing websites, and is provided to employees through mandatory training. |



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| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>A.3 – The agency assesses and ensures EEO principles are part of its culture.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b><br><b>New Compliance Indicator</b>  |
| <b>A.3.a</b>   | <p>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.</p> | <p>Yes</p>                      | <p>The annual Secretary's Awards Program recognizes employees for accomplishments in EEO.</p> <p>FAA has a Partners in Diversity, Equity, and Inclusion Award.</p> <p>MARAD annually nominates employees and supervisors for EEO-related awards.</p> <p>PHMSA awards a Civility, Diversity, and Inclusion Award. Managers/supervisors are recognized for superior accomplishment in EEO.</p> <p>NHTSA's Administrator's Award for Diversity Accomplishment is an annual award that recognizes an employee or team who made outstanding contributions to diversity through excellence of their</p> |





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|  |  |                                 | <p>leadership, skill, and perseverance.</p> <p>The Volpe Center awards employees for superior accomplishment in DEIA, but not specifically in EEO.</p> <p>FMCSA awards the Administrator's Diversity Champion Award to an individual or a group for superior EEO accomplishment</p> |
| <b>A.3.b</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]   | Yes                             |   |
| <p align="center"><b>Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION</b></p> <p align="center"><b>This element requires that the agency's EEO programs are structured to maintain a workplace that is free from discrimination and support the agency's strategic mission.</b></p> |  |                                 |   |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b>   | <b>B.1 - The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>   |
| <b>B.1.a</b>   | 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)]  | Yes                             | DOCR's Director reports directly to the Secretary. See 49 CFR §1.15(a)  |
| <b>B.1.a.1</b>   | 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. | N/A                             | .   |
| <b>B.1.a.2</b>   | Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]   | Yes                             | 49 CFR §1.15(a) establishes that DOCR reports directly to the Secretary.  |

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| <b>B.1.b</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]   | Yes                             |   |
| <b>B.1.c</b>   | 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. | Yes                             | FAA briefed its agency head on September 26, 2022.<br><br>FHWA briefed its agency head on August 8, 2022. |
| <b>B.1.d</b>   | Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]  | Yes                             |   |
|  |   |                                 |   |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>B.2 – The EEO Director controls all aspects of the EEO program.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments New Compliance Indicator</b>  |
| <b>B.2.a</b>   | 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)]   | Yes                             |   |
| <b>B.2.b</b>   | Is the EEO Director responsible for overseeing the completion of EEO counseling [see 29 CFR §1614.102(c)(4)]  | Yes                             |   |
| <b>B.2.c</b>   | 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.]  | Yes                             |   |
| <b>B.2.d</b>   | 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.]  | Yes                             |   |
| <b>B.2.e</b>   | Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]   | Yes                             |   |
| <b>B.2.f</b>   | 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)]   | Yes                             |   |



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| <b>B.2.g</b>   | 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) and (c)(3)]   | Yes                             |  |
|  |   |                                 |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>B.3 - The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>  |
| <b>B.3.a</b>   | 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)] | Yes                             |  |
| <b>B.3.b</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.   | Yes                             | <p>DOT's Strategic Plan identified Organizational Excellence as a strategic goal, which includes hiring, developing, and retaining a diverse workforce through promoting DOT as a model of DEIA. DOT has also issued a DEIA Strategic Plan to identify activities that integrate EEO and DEIA principles throughout the employee lifecycle.</p> <p>DOT's Human Capital Operating Plan (HCOP) includes EEO and Diversity and Inclusion Principles. The HCOP has four objectives: create HR efficiencies; talent</p> |

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|  |  |                                 | management; performance culture and engagement; and evaluation. Diversity and inclusion measures are integrated into each of the four objectives.  |
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| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>  |
| <b>B.4.a</b>   | 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>B.4.a.1</b>   | to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]  | Yes                             |  |
| <b>B.4.a.2</b>   | to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]  | Yes                             |  |
| <b>B.4.a.3</b>   | 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)]  | No                              | Throughout FY 2021 and FY 2022, DOCR worked to improve timeframes for EEO complaint processing. In FY 2022, DOCR continued to rectify these deficiencies and expects to be entirely timely in EEO processing by FY 2024. |
| <b>B.4.a.4</b>   | 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. | Yes                             |  |



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| <b>B.4.a.5</b>   | 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)]   | No                              |   |
| <b>B.4.a.6</b>   | to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]  | Yes                             |   |
| <b>B.4.a.7</b>   | 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. | Yes                             |   |
| <b>B.4.a.8</b>   | 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]         | Yes                             |   |
| <b>B.4.a.9</b>   | 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]   | Yes                             |   |
| <b>B.4.a.10</b>  | to effectively manage its reasonable accommodation program? [see 29 CFR § 1614.203(d)(4)(ii)]   | Yes                             |   |
| <b>B.4.a.11</b>  | to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]  | Yes                             |   |
| <b>B.4.b</b>   | Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]  | Yes                             |   |
| <b>B.4.c</b>   | Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]   | Yes                             |   |
| <b>B.4.d</b>   | 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?   | Yes                             |   |
| <b>B.4.e</b>   | 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?   | Yes                             |   |
|  |   |                                 |   |
|  <b>Compliance Indicator</b><br> <b>Measures</b> | <b>B.5 – The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b><br><b>New Indicator</b> |
| <b>B.5.a</b>   | Pursuant to 29 CFR § 1614.102(a)(5), have all managers and supervisors received training on their responsibilities under the following areas under the agency EEO program:  |                                 |   |





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| <b>B.5.a.1</b>   | EEO Complaint Process? [see MD-715(II)(B)]  | Yes                             |  |
| <b>B.5.a.2</b>   | Reasonable Accommodation Procedures? [see 29 C.F.R. § 1614.102(d)(3)]   | Yes                             |  |
| <b>B.5.a.3</b>   | Anti-Harassment Policy? [see MD-715(II)(B)]   | Yes                             |  |
| <b>B.5.a.4</b>   | 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)] | Yes                             |  |
| <b>B.5.a.5</b>   | 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)]  | Yes                             |  |
|  |   |                                 |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b>   | <b>B.6 – The agency involves managers in the implementation of its EEO program.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b><br><br><b>New Indicator</b>          |
| <b>B.6.a</b>   | Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]  | Yes                             |  |
| <b>B.6.b</b>   | Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]   | Yes                             |  |
| <b>B.6.c</b>   | 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]   | Yes                             |  |
| <b>B.6.d</b>   | 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)]  | Yes                             |  |
|  |   |                                 |  |
| <p align="center"><b>Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY</b></p> <p align="center"><b>This element requires the agency head to hold all managers, supervisors, and EEO officials responsible for the effective implementation of the agency's EEO Program and Plan.</b></p> |   |                                 |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b>   | <b>C.1 – The agency conducts regular internal audits of its component and field offices.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>                                      |
| <b>C.1.a</b>   | Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If   | Yes                             | OAs complete their own assessments;<br>DOCR does not |



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|              | "yes", please provide the schedule for conducting audits in the comments section.  |     | <p>conduct regular assessments.</p> <p>FAA conducts four (4) assessments and four (4) follow-up assessments for a total of eight (8) per year on its EEO Program.</p> <p>FRA, GLS, MARAD, and PHMSA conduct annual assessments.</p>   |
| <b>C.1.b</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. | Yes | <p>OAs complete their own assessments; DOCR and DOHRM conduct assessments as a part of DEIA work.</p> <p>FAA conducts four (4) assessments and four (4) follow-up assessments for a total of eight (8) assessments related to workplace barriers.</p> <p>FHWA annually conducts assessments on the Agency's efforts to remove barriers from the workplace.</p> <p>FRA, MARAD, and PHMSA conduct annual assessments.</p> |





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| <b>C.1.c</b>   | Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]   | Yes                             | DOCR does not yet conduct holistic assessments; DOCR regularly makes recommendations on specific policies or practices and, when that occurs, components make reasonable efforts to comply. |
|  |   |                                 |   |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>C.2 – The agency has established procedures to prevent all forms of EEO discrimination.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments<br/>New Indicator</b>   |
| <b>C.2.a</b>   | 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)] | Yes                             |   |
| <b>C.2.a.1</b>   | 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]   | Yes                             |   |
| <b>C.2.a.2</b>   | 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)]  | Yes                             |   |
| <b>C.2.a.3</b>   | 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)]                            | Yes                             |   |
| <b>C.2.a.4</b>   | 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.]   | Yes                             |   |
| <b>C.2.a.5</b>   | 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 <u>Complainant v. Dep't of Veterans Affairs</u> , EEOC Appeal No. 0120123232 (May 21, 2015); <u>Complainant v.</u>       | Yes                             |   |





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|                | 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.  |     |   |
| <b>C.2.a.6</b> | Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR 1614.203(d)(2)]  | Yes |   |
| <b>C.2.b</b>   | Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR 1614.203(d)(3)]  | Yes | EEOC approved DOT's reasonable accommodation procedures in April 2021.  |
| <b>C.2.b.1</b> | 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)]   | Yes | The DOT Disability Resource Center is a centralized provider for assistive technology, PAS, and guidance on RA.   |
| <b>C.2.b.2</b> | Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]  | Yes |   |
| <b>C.2.b.3</b> | 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)]  | Yes |   |
| <b>C.2.b.4</b> | 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)] | Yes |   |
| <b>C.2.b.5</b> | Does the agency process all accommodation requests 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 in the comments column.               | Yes |   |
| <b>C.2.c</b>   | 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)]        | Yes | PAS is coordinated by the DOT Disability Resource Center  |
| <b>C.2.c.1</b> | 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.                                   | Yes | <a href="https://www.transportation.gov/drc/personal-assistance-as-reasonable-accommodation">https://www.transportation.gov/drc/personal-assistance-as-reasonable-accommodation</a> |



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| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b><br><b>New Indicator</b> |
| <b>C.3.a</b>   | 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? | Yes                             |   |
| <b>C.3.b</b>   | Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:  |                                 |   |
| <b>C.3.b.1</b>   | Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]  | Yes                             |   |
| <b>C.3.b.2</b>   | Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]  | Yes                             |   |
| <b>C.3.b.3</b>   | Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]  | Yes                             |   |
| <b>C.3.b.4</b>   | 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]   | Yes                             |   |
| <b>C.3.b.5</b>   | Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]   | Yes                             |   |
| <b>C.3.b.6</b>   | Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]  | Yes                             |   |
| <b>C.3.b.7</b>   | Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]   | Yes                             |   |
| <b>C.3.b.8</b>   | Support the anti-harassment program in investigating and correcting harassing conduct. [see Enforcement Guidance, V.C.2]   | Yes                             |   |
| <b>C.3.b.9</b>   | 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)]            | Yes                             |   |
| <b>C.3.c</b>   | 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)] | Yes                             |   |
| <b>C.3.d</b>   | When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]   | Yes                             |   |

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|  |   |                                 |                 |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b>     | <b>C.4 – The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b> |
| <b>C.4.a</b>   | 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)]   | Yes                             |                 |
| <b>C.4.b</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] | Yes                             |                 |
| <b>C.4.c</b>   | Does the EEO office have timely access to accurate and complete data (e.g., demographic data for workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]  | Yes                             |                 |
| <b>C.4.d</b>   | 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)]   | Yes                             |                 |
| <b>C.4.e</b>   | Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:   |                                 |                 |
| <b>C.4.e.1</b>   | Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]   | Yes                             |                 |
| <b>C.4.e.2</b>   | Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]   | Yes                             |                 |
| <b>C.4.e.3</b>   | Develop and/or provide training for managers and employees? [see MD-715, II(C)]   | Yes                             |                 |
| <b>C.4.e.4</b>   | Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]   | Yes                             |                 |
| <b>C.4.e.5</b>   | Assist in preparing the MD-715 report? [see MD-715, II(C)]  | Yes                             |                 |
|  |   |                                 |                 |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>C.5 – Following a finding of discrimination, the agency explores whether it should take a disciplinary action.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b> |



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| <b>C.5.a</b>  | 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 <u>Douglas v. Veterans Administration</u> , 5 MSPR 280 (1981)]  | Yes                             |  |
| <b>C.5.b</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.  | Yes                             | FAA disciplined 2 employees for harassment.<br><br>FRA disciplined 1 employee for harassment.  |
| <b>C.5.c</b>  | 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? [see MD-715, II(C)]   | Yes                             |  |
|   |   |                                 |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b>  | <b>C.6 – The EEO office advises managers/supervisors on EEO matters.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>  |
| <b>C.6.a</b>  | 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. | Yes                             | OST provides updates at least annually.<br><br>FAA provides bi-monthly updates.<br><br>NHTSA provides monthly updates.<br><br>FHWA, FRA, FTA, GLS, and PHMSA provide annual updates. |
| <b>C.6.b</b>  | Are EEO officials readily available to answer managers’ and supervisors’ questions or concerns? [see MD-715 Instructions, Sec. I]   | Yes                             |  |
|   |   |                                 |  |
| <p align="center"><b>Essential Element D: PROACTIVE PREVENTION</b></p> <p align="center"><b>This element requires that the agency head make early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity.</b></p> |   |                                 |  |





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| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>D.1 – The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.</b>  | <b>Measure Met?<br/>(Yes/No/NA)</b> | <b>Comments</b>   |
| <b>D.1.a</b>   | Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]   | Yes                                 |   |
| <b>D.1.b</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; reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I]  | Yes                                 |   |
| <b>D.1.c</b>   | 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)]   | Yes                                 |   |
|  |   |                                     |   |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>D.2 – The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)</b>   | <b>Measure Met?<br/>(Yes/No/NA)</b> | <b>Comments<br/><br/>New Indicator</b>  |
| <b>D.2.a</b>   | Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]   | Yes                                 |   |
| <b>D.2.b</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)]  | Yes                                 |   |
| <b>D.2.c</b>   | 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)]  | Yes                                 |   |
| <b>D.2.d</b>   | 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, reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I] If “yes”, please identify the data sources in the comments column. | Yes                                 | DOT regularly reviews EEO complaint data, exit surveys, anti-harassment program data, climate survey responses from affinity groups, FEVS |



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|  |  |                                 | responses, and reasonable accommodation data.  |
|  |  |                                 |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>D.3 – The agency establishes appropriate action plans to remove identified barriers.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b><br><br><b>New Indicator</b>  |
| <b>D.3.a.</b>  | 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)]                                       | Yes                             |  |
| <b>D.3.b</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)] | Yes                             |  |
| <b>D.3.c</b>   | Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]  | Yes                             |  |
|  |  |                                 |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>D.4 – The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b><br><br><b>New Indicator</b>  |
| <b>D.4.a</b>   | Does the agency post its affirmative action plan on its public website? [see 29 CFR 1614.203(d)(4)] Please provide the internet address in the comments.   | Yes                             | DOT posts its Affirmative Action Plan at:<br><a href="https://www.transportation.gov/mission/civil-rights/civil-rights-awareness-enforcement/affirmative-action-plan-recruitment-hiring">https://www.transportation.gov/mission/civil-rights/civil-rights-awareness-enforcement/affirmative-action-plan-recruitment-hiring</a><br><br>FHWA posts its Affirmative Action Plan at: |





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|   |   |                                 | <a href="http://www.fhwa.dot.gov/civilrights/">www.fhwa.dot.gov/civilrights/</a> |
| <b>D.4.b</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)]   | Yes                             |  |
| <b>D.4.c</b>  | 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)]   | Yes                             |  |
| <b>D.4.d</b>  | 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)]                            | Yes                             |  |
| <p style="text-align: center;"><b>Essential Element E: EFFICIENCY</b></p> <p><b>This element requires the agency head to ensure that there are effective systems for evaluating the impact and effectiveness of the agency's EEO programs and an efficient and fair dispute resolution process.</b></p> |   |                                 |  |
|  <b>Compliance Indicator</b>   | <b>E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>  |
|  <b>Measures</b>   |   |                                 |  |
| <b>E.1.a</b>  | Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?  | Yes                             |  |
| <b>E.1.b</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)?   | Yes                             |  |
| <b>E.1.c</b>  | Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?  | Yes                             |  |
| <b>E.1.d</b>  | 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. | Yes                             | 45 days on average.  |
| <b>E.1.e</b>  | Does the agency ensure 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)?                    | Yes                             |  |
| <b>E.1.f</b>  | Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?   | Yes                             |  |



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| <b>E.1.g</b> | 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)? | N/A |  |
| <b>E.1.h</b> | When the complainant does not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?   | No  | Throughout FY 2021 and FY 2022, DOCR worked to improve timeframes for FADs. In FY 2022, DOCR continued to rectify these deficiencies and expects to be entirely timely in issuing FADs by FY 2024. |
| <b>E.1.i</b> | 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)?  | Yes |  |
| <b>E.1.j</b> | 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.  | Yes | DOT Statements of Work include penalties for poor work product and delays caused by failure to follow protocols.   |
| <b>E.1.k</b> | 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)]                                | Yes |  |
| <b>E.1.l</b> | 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)]  | Yes |  |
|              |   |     |  |

| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>E.2 – The agency has a neutral EEO process.</b>  | <b>Measure Met?<br/>(Yes/No/NA)</b> | <b>Comments<br/>Revised Indicator</b>   |
|--|---|-------------------------------------|---|
| <b>E.2.a</b>   | 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.  | Yes                                 | The agency's EEO complaint program is in the Departmental Office of Civil Rights, while the legal defensive function is in the Office of General Law and the Office of Litigation and Enforcement within the Office of the General Counsel. |
| <b>E.2.b</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. | Yes                                 | Non-litigation attorneys in the Office of the General Counsel's Office of General Law conducts the review.  |
| <b>E.2.c</b>   | 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)]   | N/A                                 | The EEO office does not rely on the agency's defensive function to conduct the legal sufficiency review.  |
| <b>E.2.d</b>   | 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)]  | Yes                                 |   |
| <b>E.2.e</b>   | If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? [see EEOC Report, <i>Attaining a Model Agency Program: Efficiency</i> (Dec. 1, 2004)]  | Yes                                 |   |
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| <br><b>Compliance Indicator</b><br><br><b>Measures</b>    | <b>E.3 - The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.</b>                                       | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>  |
| <b>E.3.a</b>  | 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)]            | Yes                             | All of DOT uses DOT's Center for Alternative Dispute Resolution.     |
| <b>E.3.b</b>  | Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]   | Yes                             | DOT's ADR Order requires a management representative to participate. |
| <b>E.3.c</b>  | Does the agency encourage all employees to use ADR, where ADR is appropriate? [see MD-110, Ch. 3(IV)(C)]  | Yes                             |  |
| <b>E.3.d</b>  | 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)]              | Yes                             |  |
| <b>E.3.e</b>  | Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]                              | Yes                             |  |
| <b>E.3.f</b>  | Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]  | Yes                             |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>E.4 – The agency has effective and accurate data collection systems in place to evaluate its EEO program.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>  |
| <b>E.4.a</b>  | Does the agency have systems in place to accurately collect, monitor, and analyze the following data:   |                                 |  |
| <b>E.4.a.1</b>  | Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)] | Yes                             |  |
| <b>E.4.a.2</b>  | The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]  | Yes                             |  |
| <b>E.4.a.3</b>  | Recruitment activities? [see MD-715, II(E)]   | Yes                             |  |

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|--|--|---------------------------------|--|
| <b>E.4.a.4</b>   | External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]  | Yes                             |  |
| <b>E.4.a.5</b>   | The processing of requests for reasonable accommodation? [29 CFR § 1614.203(d)(4)]   | Yes                             |  |
| <b>E.4.a.6</b>   | 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]                             | Yes                             |  |
| <b>E.4.b</b>   | Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]  | Yes                             |  |
|  |  |                                 |  |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>E.5 – The agency identifies and disseminates significant trends and best practices in its EEO program.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>  |
| <b>E.5.a</b>   | 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. | Yes                             | DOT reviews trends in its overall EEO program during its preparation of the annual Notification and Federal Employee Antidiscrimination and Retaliation Act Report. Many OAs also conduct their own annual review. |
| <b>E.5.b</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.      | Yes                             | DOT participates in interagency meetings, including EEOC's EEO Directors meetings, and adopts best practices shared  |
| <b>E.5.c</b>   | Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]  | Yes                             |  |
| <b>Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE</b><br><b>This element requires federal agencies to comply with EEO statutes and EEOC regulations, policy guidance, and other written instructions.</b>      |  |                                 |  |

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| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>F.1 – The agency has processes in place to ensure timely and full compliance with EEOC Orders and settlement agreements.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>   |
| <b>F.1.a</b>   | 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)]                     | Yes                             |   |
| <b>F.1.b</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)]   | Yes                             |   |
| <b>F.1.c</b>   | Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]  | Yes                             |   |
| <b>F.1.d</b>   | Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]   | Yes                             |   |
| <b>F.1.e</b>   | 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)] | Yes                             |   |
|  |  |                                 |   |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>F.2 – The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.</b>  | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b><br><br>Indicator moved from E-III Revised   |
| <b>F.2.a</b>   | Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]  | Yes                             | DOT has timely responded to and complied with all final EEOC orders. In one pending matter, EEOC has requested clarification of the status of FHWA's compliance with an order related to a finding of discrimination. FHWA submitted its statement as ordered and is awaiting a |

|  |  |                                 |                         |
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|  |  |                                 | response from the EEOC. |
| <b>F.2.a.1</b>   | 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)]                           | Yes                             |                         |
| <b>F.2.a.2</b>   | 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] | Yes                             |                         |
| <b>F.2.a.3</b>   | 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)]                              | Yes                             |                         |
| <b>F.2.a.4</b>   | Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?   | Yes                             |                         |
|  |  |                                 |                         |
| <br><b>Compliance Indicator</b><br><br><b>Measures</b> | <b>F.3 - The agency reports to EEOC its program efforts and accomplishments.</b>   | <b>Measure Met? (Yes/No/NA)</b> | <b>Comments</b>         |
| <b>F.3.a</b>   | Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]  | Yes                             |                         |
| <b>F.3.b</b>   | Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]  | Yes                             |                         |

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| <b>EEOC FORM<br/>715-02<br/>Part H-1</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>   |  |
| <b>Department of<br/>Transportation</b>   | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>   |  |
| STATEMENT OF MODEL<br>PROGRAM ESSENTIAL ELEMENT<br>DEFICIENCY:  | 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)] (Part G Question B.1.a) |  |
| OBJECTIVE:  | To ensure the agency's EEO programs are integrated into the agency's strategic mission  |  |
| RESPONSIBLE OFFICIAL:   | Irene Marion, Director, Departmental Office of Civil Rights (DOCR)  |  |
| DATE OBJECTIVE INITIATED:   | 09/30/2020  |  |
| TARGET DATE FOR COMPLETION<br>OF OBJECTIVE:   | 09/30/2023  |  |
| <b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>   |   |  |
| Department will review OA organizational structures and identify whether EEO Directors report directly to their agency component head.<br>TARGET DATE: 01/30/2023   |   |  |
| Department will work with component agencies to reorganize their structure to ensure that EEO Directors each report to their agency component head.<br>TARGET DATE: 09/30/2023<br>NEW TARGET DATE: 09/30/2024   |   |  |
| <b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE</b>   |   |  |
| In progress: In FY 2022, DOCR assessed the structure of OA EEO offices and Directors. DOCR requested clarifying information from EEOC with regard to the reporting structure for subcomponent agencies and is working with subcomponents to adjust reporting structures as appropriate. |   |  |

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| <b>EEOC FORM<br/>715-02<br/>Part H-2</b>   | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>   |  |
| <b>Department of<br/>Transportation</b>  | <b>For period covering<br/>October 1, 2021 to September 30, 2022</b>  |  |
| STATEMENT OF MODEL<br>PROGRAM ESSENTIAL ELEMENT<br>DEFICIENCY:   | The Department did not issue all Final Agency<br>Decisions (FADs) on the merits in the required<br>60-day time frame pursuant to 29 CFR Part<br>1614.102 (a)(2) (Part G, B.4.a.3;E.1.h) |  |
| OBJECTIVE:   | Ensure all FADs are issued within the required 60-<br>day time frame.   |  |
| RESPONSIBLE OFFICIAL:  | Irene Marion, Director, Departmental Office of<br>Civil Rights (DOCR)   |  |
| DATE OBJECTIVE INITIATED:  | 07/20/2020  |  |
| TARGET DATE FOR COMPLETION<br>OF OBJECTIVE:  | 01/01/2022<br>UPDATED DATE: 01/01/2024  |  |
| <b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>  |   |  |
| DOCR will fill existing vacancies and add funding to its existing contracts to ensure<br>the Department has sufficient capacity to issue FADs within the required time frame.<br>TARGET DATE: 09/30/2023                                 |   |  |
| <b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE</b>  |   |  |
| In process; partially complete. DOCR continues to fill vacancies in its division<br>responsible for issuing FADs. In FY 2022, DOCR implemented a strategic plan to clear<br>its FAD backlog and expects to clear the backlog in FY 2024. |   |  |

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| <b>EEOC FORM<br/>715-02<br/>Part H-3</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>   |  |
| <b>Department of<br/>Transportation</b>   | <b>For period covering<br/>October 1, 2021 to September 30, 2022</b>  |  |
| STATEMENT OF MODEL<br>PROGRAM ESSENTIAL ELEMENT<br>DEFICIENCY:  | The Department has a low Alternative Dispute Resolution (ADR) participation rate. ADR is used in less than 50% of EEO counselings, which is lower than the 50% goal stated in Section I of EEOC ADR Report: Part I – ADR in the Federal Sector EEO Process (FY 2003 - FY 2004). |  |
| OBJECTIVE:  | To ensure ADR is utilized in at least 50% of all EEO counselings  |  |
| RESPONSIBLE OFFICIAL:   | Irene Marion, Director, Departmental Office of Civil Rights (DOCR)  |  |
| DATE OBJECTIVE INITIATED:   | 09/30/2020  |  |
| TARGET DATE FOR COMPLETION<br>OF OBJECTIVE:   | 09/30/2021<br>UPDATED DATE: 09/30/2024  |  |
| <b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>   |   |  |
| DOCR will review current ADR data collection procedures to ensure accurate information on the percentage of ADRs offered and accepted by EEO Counselors<br>TARGET DATE: 09/30/2023  |   |  |
| DOCR will conduct outreach and training for EEO counselors to ensure that they consistently offer and encourage the use of ADR during the counseling period<br>TARGET DATE: 09/30/2024  |   |  |
| <b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE</b>   |   |  |
| In progress. DOCR conducts outreach with OA Civil Rights Directors at periodic meetings. During FY 2022, DOCR had regular meetings with OA EEO counselors and discussed a variety of topics related to the informal complaint process, including ADR. |   |  |

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| <b>EEOC FORM<br/>715-02<br/>Part H-4</b>   | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>  |  |
| <b>Department of<br/>Transportation</b>  | <b>For period covering<br/>October 1, 2021 to September 30, 2022</b>   |  |
| STATEMENT OF MODEL<br>PROGRAM ESSENTIAL ELEMENT<br>DEFICIENCY:   | The agency does not conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices. [see 29 CFR §1614.102(c)(2)] (Part G, B.4.a.5) |  |
| OBJECTIVE:   | To hold all managers, supervisors, and EEO officials responsible for the effective implementation of the agency's EEO Program and Plan.  |  |
| RESPONSIBLE OFFICIAL:  | Irene Marion, Director, Departmental Office of Civil Rights (DOCR)   |  |
| DATE OBJECTIVE INITIATED:  | 09/30/2020   |  |
| TARGET DATE FOR COMPLETION<br>OF OBJECTIVE:  | 09/30/2024   |  |
| <b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>  |  |  |
| DOCR will engage in strategic planning in early FY 2023 to assess hiring and budget needs required for two OA EEO audits per fiscal year.<br>TARGET DATE: 09/30/2023   |  |  |
| DOCR will initiate two OA EEO audits<br>TARGET DATE: 10/30/2023<br>NEW TARGET DATE: 10/30/2024   |  |  |
| <b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE</b>  |  |  |
| <p>In progress. OAs currently perform their own assessments; DOCR steps in on an as-needed basis when it observes issues or processes that need intervention/improvement.</p> <p>In FY 2020, DOCR had planned to hire an EEO program evaluator to formalize this process and ensure holistic OA evaluations on a regular cadence. In FY 2021, DOCR assessed hiring actions and budget needs required for this objective and determined that it needed its immediately available vacancies to hire FAD writers rather than an EEO program evaluator. In FY 2022, DOT initiated strategic planning, which includes consideration of staffing and resource needs to implement an EEO program evaluation function to fulfill this objective.</p> |  |  |

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| <b>EEOC FORM<br/>715-02<br/>Part H-5</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>                   |  |
| <b>Department of<br/>Transportation</b>   | <b>For period covering<br/>October 1, 2021 to September 30, 2022</b>  |  |
| STATEMENT OF MODEL<br>PROGRAM ESSENTIAL ELEMENT<br>DEFICIENCY:  | Does the agency post its affirmative action plan<br>on its public website? [see 29 CFR<br>1614.203(d)(4)](Part G, D.4.a.)     |  |
| OBJECTIVE:  | To make early efforts to prevent discrimination<br>and to identify and eliminate barriers to equal<br>employment opportunity. |  |
| RESPONSIBLE OFFICIAL:   | Irene Marion, Director, Departmental Office of<br>Civil Rights (DOCR)   |  |
| DATE OBJECTIVE INITIATED:   | 09/30/2022  |  |
| TARGET DATE FOR COMPLETION<br>OF OBJECTIVE:   | 09/30/2023  |  |
| <b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>   |   |  |
| The Department will work with its IT staff to create a page to post the affirmative<br>action plan.<br>TARGET DATE: 01/01/2023        |   |  |
| <b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE</b>   |   |  |
| DOT's Affirmative Action Plan for FY 2021 was posted to the Departmental Website in<br>early 2023. This objective has been completed. |   |  |

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| <b>EEOC FORM<br/>715-02<br/>Part I-1</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b>  |   |
| <b>Department of<br/>Transportation</b>   | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>  |   |
| <b>STATEMENT OF CONDITION<br/>THAT WAS A TRIGGER FOR A<br/>POTENTIAL BARRIER:</b>                     | <b>Source of the trigger:</b>  |   |
| Provide a brief narrative<br>describing the condition at issue.                                       | Workforce Table A1   |   |
| How was the condition<br>recognized as a potential barrier?   | <b>Description of the trigger:</b>   |   |
|   | When compared to the 2010 civilian labor force (CLF), DOT has lower than expected participation in its total workforce by women in several mission critical occupation fields. |   |
| <b>BARRIER ANALYSIS:</b>  | <b>SOURCES OF DATA</b>   |   |
| Provide a description of the steps<br>taken and data analyzed to<br>determine cause of the condition. | <b>Has source<br/>been<br/>reviewed?<br/>(Yes/No)</b>  | <b>Identify information<br/>collected.</b>  |
|   | <b>Workforce Data Tables</b>   |   |
|   | YES  | Tables A1, A4, A8, and A14<br>Onboard workforce, New hires,<br>Participation across GS levels, and<br>Separations |
|   | <b>Complaint Data (i.e., Trends, Findings of<br/>Discrimination, etc.)</b>   |   |
|   | YES  | The DOCR investigated whether<br>there was a trend of complaints of<br>non-selection on the basis of sex.         |
|   | <b>Grievance Data</b>  |   |
|   | NO   |   |
|   | <b>Climate Assessment Survey</b>   |   |
|   | Yes  |   |
|   | <b>Exit Interview Data</b>   |   |
|   | NO   |   |
|   | <b>Interviews</b>  |   |
|   | NO   |   |
|   | <b>Applicable Policies and Procedures</b>  |   |
|   | NO   |   |
|   | <b>Reports (OIG, EEOC, MSPB, GAO, etc.)</b>  |   |
|   | NO   |   |
|   | <b>Other (Please Describe)</b>   |   |
|   | NO   |   |

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| <b>EEOC FORM<br/>715-02<br/>Part I-1</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |   |
| <b>Department of<br/>Transportation</b>   | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>                                       |   |
| <b>STATEMENT OF IDENTIFIED BARRIER:</b><br><br>Provide a succinct statement of the agency policy, procedure, or practice that has been determined to be the barrier of the undesired condition. |   | In FY 2022, the Department reported lower than expected participation rates for women in the total workforce at 26.41%, as compared to the most recently available civilian labor force rate (47%). <sup>13</sup> Women of color comprise 10.85% of DOT's workforce. African American/Black women account for 6.06% of DOT's workforce, Latinas comprise 2.29% of DOT's workforce, and Asian women comprise 1.80%. As noted in the executive summary, this level of participation at DOT continues to be driven, in part, by the high proportion of nontraditional occupations for women in the transportation field. |
| <b>OBJECTIVE:</b><br>State the alternative or revised agency policy, procedure, or practice to be implemented to correct the undesired condition.   |   | Establish new outreach efforts to recruit qualified women applicants and applicants from groups with lower-than-expected participation rates, and leverage existing resources to increase recruitment efforts through the Workforce Equity Team objectives, DOT DEIA Strategic Plan, and Human Capital Operating Plan currently under development by DOHRM.   |
| <b>RESPONSIBLE OFFICIAL:</b>  |   | Anne Audet, Director, DOHRM;<br>Irene Marion, Director, DOCR  |
| <b>DATE OBJECTIVE INITIATED:</b>  |   | 11/18/2011  |
| <b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>   |   | 09/30/2025  |
| <b>EEOC FORM<br/>715-02<br/><br/>PART I-1</b>   | <b>EEO PLAN TO ELIMINATE IDENTIFIED BARRIER</b>   |   |
| <b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>   |   | <b>TARGET DATE:</b><br>(Must be specific)   |
| DOT will develop a work plan for workforce development.   |   | 09/30/2021  |

<sup>13</sup> U.S. Department of Labor. Bureau of Labor Statistics. Table 3.1 Civilian labor force, by age, sex, race, and ethnicity, 2001, 2011, 2021, and projected 2031. Accessed April 25, 2023. <https://www.bls.gov/emp/tables/civilian-labor-force-summary.htm>.

| <b>EEOC FORM<br/>715-02<br/>Part I-1</b>   |  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |  |
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| <b>Department of<br/>Transportation</b>  |  | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>                                       |  |
| Establish a Gender Justice Action Team to support the White House Gender Policy Council's efforts to pursue a comprehensive approach to gender equity. Among other priorities, the Team will examine ways to improve the participation rate of women at DOT.   |  | 09/30/2021  |  |
| Establish a baseline analysis of applicant flow data for MCOs and strategies to annually increase diversity in applicant pools for MCOs which have, or have had previous underrepresentation of women, persons with disabilities, people of color and other employee groups.   |  | 09/30/2022  |  |
| Develop and implement strategies to increase diversity of the applicant pool for DOT's mission critical occupations with a focus on increasing gender diversity and identifying opportunities where there are low participation rates of underserved communities, such as people with disabilities, people of color, and LGBTQI+ people.   |  | 09/30/2023  |  |
| Develop and implement a DOT DEIA training curriculum for hiring managers and human resources specialists that includes a focus on inclusive and equitable hiring practices.  |  | 09/30/2023<br>NEW DATE: 09/30/2024  |  |
| Develop a DOT framework for establishing effective partnerships with colleges, universities, community colleges, and technical training entities, and other institutions that offer Vocational Rehabilitation and Apprenticeship Programs.   |  | 09/30/2024  |  |
| Develop a DOT-wide focused strategy and framework to establish effective partnerships with colleges, universities, and technical training entities, that serve individuals with disabilities, underserved populations and communities, including Historically Black Colleges and Universities (HBCU), community colleges, technical schools, and Minority Serving Institutions (MSI) of higher learning, to expand outreach for DOT paid internship opportunities. |  | 09/30/2024  |  |
| Design a marketing and outreach toolkit to facilitate use of social media platforms to highlight   |  | 09/30/2024  |  |

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| <b>EEOC FORM<br/>715-02<br/>Part I-1</b>  | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |  |
| <b>Department of<br/>Transportation</b>   | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>                                       |  |
| and promote DOT paid internship opportunities to a broad and diverse applicant pool.  |   |  |
| Bolster existing programs and establish new programs to support outreach to K-12 students, with a focus on underserved communities, to build the pipeline for STEM and transportation careers, and a skilled technical workforce.   | 09/30/2024  |  |
| Establish DOT-wide guidance and tools to support development of an Employee Ambassador Program to conduct outreach and recruitment.   | 09/30/2024  |  |
| Assess current paid internship opportunities, inclusive of the Workforce Recruitment Program (WRP), to identify ways to expand participation and conduct focused recruitment of underserved groups. Develop guidance to support the development of a career ladder management intern program, which provides opportunities in DOT occupations.  | 09/30/2025  |  |
| <b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE:</b>  |   |  |
| <p>In FY 2022, DOOCR and DOHRM completed an initial in-depth analysis of the hiring pipeline and separation rates for mission critical occupations to support meaningful and focused recruitment strategies. As a result of this analysis, DOT is conducting more focused recruitment and outreach to increase the number of women in the applicant pool for engineering and information technology occupations.</p> <p>DOT is also assessing increased workplace and work-life flexibilities and mobility, assessing DOT facilities to ensure that there are gender-inclusive facilities available, including nursing rooms, and developing policies and programs to support DOT as an employer of choice for working families.</p> <p>DOT continues to support several programs that focus on engaging women and girls and are designed to generate interest in DOT careers. Some of these initiatives included:</p> <ol style="list-style-type: none"> <li>1. DOT's Summer Transportation Internship Program for Diverse Groups (STIPDG) is designed to provide opportunities to qualified candidates from underrepresented groups in transportation – including women, persons with disabilities, and other diverse groups. Students currently enrolled in a degree-granting program can apply to gain valuable professional experience and learn about the opportunities for transportation careers and careers in federal service.</li> </ol> |   |  |

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| <b>EEOC FORM<br/>715-02<br/>Part I-1</b>   | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |  |
| <b>Department of<br/>Transportation</b>  | <b>For period covering<br/>October 1, 2021, to September 30, 2022</b>                                       |  |
| <p>2. The On-the-Job Training/Supportive Services Program is designed to increase job training and career opportunities in transportation for women and diverse individuals from underserved communities and to increase the overall effectiveness of approved training programs.</p> <p>3. DOT's university and grants programs conduct outreach at various educational institutions and national conferences to promote the benefits of transportation education, research, and career opportunities at Minority Serving Institutions, and to increase participation in the Dwight David Eisenhower Transportation Fellowship Program.</p> <p>4. The National Summer Transportation Institute Program is a two- to four-week program for high school students designed to encourage them to pursue careers in transportation.</p> <p>5. The University Transportation Centers Program currently funds 56 centers that provide educational opportunities to diverse students pursuing undergraduate and graduate degrees in transportation-related disciplines. The educational and workforce development component is designed to expand the workforce of transportation professionals while increasing the number of women, people of color, and persons with disabilities in transportation. The centers also work with grade school students by introducing them to transportation careers, discussing academic pursuits in STEM, and engaging in hands-on activities and learning through their Summer Transportation Institute Program.</p> |   |  |

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| <b>EEOC FORM<br/>715-02<br/>Part I-2</b>                           | <b>U.S. Equal Employment Opportunity Commission<br/>FEDERAL AGENCY ANNUAL<br/>EEO PROGRAM STATUS REPORT</b> |  |
| <b>Department of<br/>Transportation</b>                            | <b>For period covering<br/>October 1, 2021 to September 30, 2022</b>  |  |
| <b>STATEMENT OF<br/>CONDITION<br/>THAT WAS A<br/>TRIGGER FOR A</b> | Workforce Table A4  |  |

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| <b>POTENTIAL BARRIER:</b><br><br>Provide a brief narrative describing the condition at issue.<br><br>How was the condition recognized as a potential barrier? | <b>Description of the trigger:</b><br><br>Lower than expected DOT workforce participation in the SES by Hispanic, Native American/Alaska Native, Native Hawaiian/Pacific Islander employees, and employees reporting two or more races. DOT recognized this condition by analyzing workforce data. |  |  |
| <b>BARRIER ANALYSIS:</b><br><br>Provide a description of the steps taken and data analyzed to determine cause of the condition.                               | <b>SOURCES OF DATA</b>   |  |  |
|   | <b>Has source been reviewed? (Yes/No)</b>  | <b>Identify information collected.</b>   |  |
|   | <b>Workforce Data Tables</b>   |  |  |
|   | YES Table A4   |  |  |
|   | <b>Complaint Data (i.e., Trends, Findings of Discrimination, etc.)</b>   |  |  |
|   | NO   |  |  |
|   | <b>Grievance Data</b>  |  |  |
|   | NO   |  |  |
|   | <b>Climate Assessment Survey</b>   |  |  |
|   | NO   |  |  |
|   | <b>Exit Interview Data</b>   |  |  |
|   | NO   |  |  |
|   | <b>Interviews</b>  |  |  |
|   | YES  | Data collected from HR Specialists, DOT Corporate Recruitment, and hiring officials throughout DOT |  |
|   | <b>Applicable Policies and Procedures</b>  |  |  |
| YES SES Hiring Procedures   |  |  |  |
| <b>Reports (OIG, EEOC, MSPB, GAO, etc.)</b>   |  |  |  |
| NO  |  |  |  |
| <b>Other (Please Describe)</b>  |  |  |  |
| NO  |  |  |  |
| <b>STATEMENT OF IDENTIFIED BARRIER:</b>   | DOT is in the process of conducting a barrier analysis of recruitment and hiring practices, and the availability of feeder pools and pipelines to SES. DOT had not identified the barrier(s) at the time of reporting.   |  |  |

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| Provide a succinct statement of the agency policy, procedure, or practice that has been determined to be the barrier of the undesired condition.  |  |
| <b>OBJECTIVE:</b><br><br>State the alternative or revised agency policy, procedure, or practice to be implemented to correct the undesired condition.   | DOT is in the process of conducting a barrier analysis of recruitment and hiring practices, career advancement and retention, and the availability of feeder pools and pipelines to SES. An analysis of movement of DOT SES staff from FY 2013 to 2022 has revealed that Hispanic and American Indian/Alaska Native executives were substantially more likely to leave DOT when compared with the SES staff as a whole. (Over 10 years, two or fewer SES staff were Native Hawaiian or Other Pacific Islander or Two or More Races, which limits quantitative analysis for these groups.) The SES pipeline (GS13 to GS15) has become consistently more diverse over the past ten years, and DOT continues to investigate promotion barriers and opportunities from this feeder pool. |
| <b>RESPONSIBLE OFFICIAL:</b>  | Anne Audet, Director, DOHRM;<br>Irene Marion, Director, DOCR   |
| <b>DATE OBJECTIVE INITIATED:</b>  | 11/18/2011   |
| <b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>   | 09/30/2025   |
| <b>EEOC FORM 715-02 PART I-2</b>  | <b>EEO PLAN TO ELIMINATE IDENTIFIED BARRIER</b>  |
| <b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>   | <b>TARGET DATE:</b><br>(Must be specific)  |
| Review composition of the current SES workforce to establish baseline demographic data.   | 01/30/2023   |
| Establish baseline demographic data in the leadership pipeline (GS-13, 14, and 15 and FAA equivalents). Use this baseline to build a focused recruitment effort to cultivate GS-13, GS-14, and GS-15 employee candidates to increase diversity in the SES applicant pool. | 01/30/2023   |
| Conduct data collection of participants for leadership and supervisory development programs and review  | 09/30/2023   |

|   |            |
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| data to determine potential barriers to entry to these programs   |            |
| Conduct data analysis of SES succession pools, applicant pools, and candidate lists, to identify gaps and/or barriers for underserved candidates.   | 09/30/2023 |
| Develop best practices for the senior executive hiring processes to ensure that the process is equitable and inclusive with focused efforts to eliminate any potential bias in hiring.  | 09/30/2024 |
| Implement a survey for collecting data on the SES experience regarding hiring, onboarding and DEIA; evaluate results, and implement program and process changes based on the findings.  | 09/30/2024 |
| <b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE:</b>  |            |
| <p>In FY 2022, DOT completed an initial deep-dive data analysis into its senior executive cadre, as well as the executive pipeline, to identify relevant demographics and other characteristics. DOT also initiated efforts to benchmark DOT's demographics and leadership and development programs with other Federal agencies and relevant private industry workforces, as well as plans to conduct focus groups and surveys with individuals in the GS-13 to GS-15 SES pipeline as well as current SES employees.</p> <p>As a result, during FY 2022, DOT initiated the development of a leadership development program for DOT GS-13 to GS-15 employees with a goal of building leadership and supervisory skills, as well as preparing GS-13 through GS-15 employees for entering the SES. DOT deployed a pilot leadership development event in FY 2023.</p> |            |

# 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 plan will improve the recruitment, hiring, advancement, and retention of applicants and employees with disabilities. All agencies, regardless of size, must complete this Part of the MD-715 report.

### Section I: Efforts to Reach Regulatory Goals

**EEOC regulations (29 C.F.R. § 1614.203(d)(7)) require agencies to establish specific numerical goals for increasing the participation of persons with reportable and 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) | Yes 0 | No X |
| b. Cluster GS-11 to SES (PWD)  | Yes 0 | No X |

In FY 2022, PWD accounted for 26.17% of all permanent employees at the GS-1 to GS-10 grade-level cluster and 15.54% of all permanent employees at the GS-11 to SES grade-level cluster.

**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) | Yes 0 | No X |
| b. Cluster GS-11 to SES (PWTD)  | Yes X | No 0 |

In FY 2022, for the GS-1 to GS-10 cluster, PWTD workforce participation was 3.26%. For the GS-11 to SES cluster, PWTD workforce participation was 1.34%, which falls below the EEOC benchmark goal of 2%. This figure, however, does not account for PWTD employees hired through 10-point Veteran's Preference based on a service-connected disability who did not elect to identify their disability. This figure also does not include employees who declined to identify their specific disability.

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

DOT issued an agency-wide memorandum in 2011 and again in 2014 communicating specific numerical goals for DOT and each OA.

Recruitment activities are evaluated by the OAs' Offices of Human Resources. The information is communicated throughout DOT. Workforce statistical data reports are provided to hiring managers and supervisors.

## 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.**

Yes X      No 0

DOT meets these requirements by having its Disability Resource Center (DRC) (<https://www.transportation.gov/drc/disability-resource-center>), Departmental Disability Program Manager, disability employment managers, a Departmental selective placement program manager, and Schedule A Hiring Coordinators at each OA. The Department also has full-time staff to assist applicants, process reasonable accommodation requests, manage special emphasis programs for persons with disabilities, and ensure compliance with the Architectural Barriers Act and Section 508 of the Rehabilitation Act for accessible communication technology. Although DOCR and the OA civil rights offices have been under-resourced, the new Administration is addressing these needs with budget increases to fill vacancies and DOCR expects to onboard a new Disability Program Manager in FY 2024.

**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<br>(Name, Title, Office, Email)  |
|--|-------------------------------------|-----------|-----------------|---|
|  | Full Time                           | Part Time | Collateral Duty |   |
| Processing applications from PWD and PWTD  | 4                                   | 0         | 0               | OA HR Staff; Valerie Jones, Chief, DOT Automated Staffing Team,<br><a href="mailto:Valerie.a.Jones@dot.gov">Valerie.a.Jones@dot.gov</a>               |
| Answering questions from the public about hiring authorities that take disability into account | 4                                   | 0         | 0               | OA HR Staff; Valerie Jones, Chief, DOT Automated Staffing Team,<br><a href="mailto:Valerie.a.Jones@dot.gov">Valerie.a.Jones@dot.gov</a>               |
| Processing reasonable accommodation requests from applicants and employees                     | 1                                   | 0         | 0               | Michele Magana, Acting Manager, DOT Disability Resource Center;<br><a href="mailto:Michele.Magana@dot.gov">Michele.Magana@dot.gov</a>                 |
| Section 508 Compliance   | 1                                   | 0         | 3               | Ivan Amir, Section 508 Program Coordinator, Office of the Chief Information Officer (OCIO) <a href="mailto:Ivan.Amir@dot.gov">Ivan.Amir@dot.gov</a>   |
| Architectural Barriers Act Compliance  | 5                                   | 0         | 0               | Yvonne Medina, Director, Office of Facilities, Information, and Asset Management;<br><a href="mailto:Yvonne.Medina@dot.gov">Yvonne.Medina@dot.gov</a> |
| Special Emphasis Program for PWD and PWTD  | 4                                   | 0         | 11              | Yvette Rivera, Departmental Office of Civil Rights,<br><a href="mailto:Yvette.Rivera@dot.gov">Yvette.Rivera@dot.gov</a>                               |

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.**

Yes X

No 0

DOT provides communication skills and anti-harassment training to all DOT staff, along with reasonable accommodation training, as part of its model EEO program efforts.

The DRC provides training on Schedule A hiring to OAs.

#### 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*.**

Yes X

No 0

DOT funds the Agency’s DRC, which manages centralized interpreting services and personal assistance services for any DOT applicant or employee with a disability.

### 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 Applicants with Disabilities

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

DOT utilizes a Selective Placement Program Manager, Schedule A Coordinators in Operating Administrations, Human Resources Specialists, and designated recruitment teams to identify and recruit applicants with disabilities using the strategies below.

- DOT regularly participates in job and career fairs for persons with disabilities. People with disabilities and disabled veterans are included as part of the

recruitment teams. University and college offices for students with disabilities, in addition to career services offices, are contacted for recruitment purposes.

- DOT utilizes public, private, and non-profit entities to include the Department of Labor's Employer Assistance and Resource Network; state and local vocational rehabilitation agencies and employment offices; the Office of Personnel Management's Shared List of People with Disabilities; the Workforce Recruitment Program database; the Department of Veterans Affairs, Wounded Warrior Office, and Vets 2 Feds; military installations and transition offices; Department of Defense, Operation Warfighter Program; the National Naval Officers Association; and disability-related advocacy organizations whose primary focus is working to employ people with disabilities.
- The DOT Executive Agent has a standard list of professional organizations and academic institutions that automatically receive a copy of all job announcements posted via USAJobs.
- DOT's departmental recruitment council will develop a departmental recruitment plan that will align with the agency's Human Capital Operating Plan, which includes benchmarks for recruitment and hiring of persons with disabilities and targeted disabilities.

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

The agency and its OAs utilize Schedule A hiring authority to recruit PWD and PWTD into the workforce. Additionally, DOT uses the Veteran's Hiring Process extensively, which includes veterans with service-connected disabilities.

**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.**

All vacancies that are advertised "government-wide" and "all sources" include a statement on People with Disabilities and consideration under special appointing authorities. Eligibility criteria are addressed on open competitive vacancy announcements to educate those candidates unfamiliar with application procedures, forms, and requirements. Additionally, reasonable accommodation statements are included on vacancy announcements to notify applicants with disabilities. Applicants who are eligible under special appointing authorities and meet the job qualifications are referred to hiring managers on a non-competitive certification list. Human Resources

Specialists discuss with hiring officials the use of hiring flexibilities, non-competitive appointment authorities to include Schedule A, and disabled veterans' appointments. Additionally, people with disabilities can send their resumes directly to the DOT Selective Placement Coordinator.

**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.**

Yes X      No 0      N/A 0

DOT provides training on hiring authorities, including Schedule A, at least annually. DOT also maintains the Disability Program website (<https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/people-disabilities>), which is a resource for job applicants and human resources professionals. Additionally, DOT has a resource on its intranet for managers to use for hiring people with disabilities. DOT also provides managers with the policy on Reasonable Accommodations and DOT hiring tool kit for managers.

**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.**

See answer for A.2 in Section III.

**C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)**

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

a. New Hires for Permanent Workforce (PWD)      Yes 0      No X  
b. New Hires for Permanent Workforce (PWTD)      Yes 0      No X

| Total FY 2022 Hires | PWD Hires (%) | PWTD Hires (%) |
|---------------------|---------------|----------------|
| 2630                | 33.65%        | 2.93%          |

**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.**

- a. New Hires for MCO (PWD) Yes ☒ No ☐  
b. New Hires for MCO (PWTD) Yes ☒ No ☐

**Fiscal Year 2022 PWTD Hires by Mission Critical Occupation**

|                          | Misc.<br>Admin.<br>301 | Program<br>Analyst<br>343 | General<br>Engineer<br>801 | Civil<br>Engineer<br>810 | Electronics<br>Engineer<br>855 | Aerospace<br>Engineer<br>861 | Aviation<br>Safety<br>1825 | Transport.<br>Specialist<br>2101 | Motor<br>Carrier<br>Safety<br>2123 | Air<br>Traffic<br>Control<br>2152 |
|--------------------------|------------------------|---------------------------|----------------------------|--------------------------|--------------------------------|------------------------------|----------------------------|----------------------------------|------------------------------------|-----------------------------------|
| PWTD applicant benchmark | 4.92%                  | 3.03%                     | 1.80%                      | 1.69%                    | 4.16%                          | 2.05%                        | 2.05%                      | 1.08%                            | 1.83%                              | 0.84%                             |
| PWTD hiring share        | 2.94%                  | 2.98%                     | 4.26%                      | 0.90%                    | 0.00%                          | 0.91%                        | 1.40%                      | 1.94%                            | 0.00%                              | 0.44%                             |
| Trigger?                 | Yes                    | Yes                       | No                         | Yes                      | Yes                            | Yes                          | Yes                        | No                               | No                                 | Yes                               |

**Fiscal Year 2022 PWD Hires by Mission Critical Occupation**

|                         | Misc.<br>Admin.<br>301 | Program<br>Analyst<br>343 | General<br>Engineer<br>801 | Civil<br>Engineer<br>810 | Electronics<br>Engineer<br>855 | Aerospace<br>Engineer<br>861 | Aviation<br>Safety<br>1825 | Transport.<br>Specialist<br>2101 | Motor<br>Carrier<br>Safety<br>2123 | Air<br>Traffic<br>Control<br>2152 |
|-------------------------|------------------------|---------------------------|----------------------------|--------------------------|--------------------------------|------------------------------|----------------------------|----------------------------------|------------------------------------|-----------------------------------|
| PWD applicant benchmark | 11.48%                 | 7.06%                     | 3.81%                      | 4.25%                    | 8.73%                          | 5.67%                        | 7.30%                      | 3.56%                            | 3.15%                              | 3.04%                             |
| PWD hiring share        | 11.27%                 | 11.92%                    | 4.26%                      | 5.41%                    | 10.00%                         | 1.82%                        | 5.77%                      | 5.96%                            | 3.13%                              | 2.62%                             |
| Trigger?                | Yes                    | No                        | No                         | No                       | No                             | Yes                          | Yes                        | No                               | No                                 | Yes                               |

**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.**

- a. Qualified Applicants for MCO (PWD) Yes ☒ No ☐  
b. Qualified Applicants for MCO (PWTD) Yes ☒ No ☐

**Fiscal Year 2022 PWD Internal Applicants by Mission Critical Occupation**

|                | Misc.<br>Admin.<br>301 | Program<br>Analyst<br>343 | General<br>Engineer<br>801 | Civil<br>Engineer<br>810 | Electronics<br>Engineer<br>855 | Aerospace<br>Engineer<br>861 | Aviation<br>Safety<br>1825 | Transport.<br>Specialist<br>2101 | Motor<br>Carrier<br>Safety<br>2123 | Air<br>Traffic<br>Control<br>2152 |
|----------------|------------------------|---------------------------|----------------------------|--------------------------|--------------------------------|------------------------------|----------------------------|----------------------------------|------------------------------------|-----------------------------------|
| Applicant pool | 14.14%                 | 15.42%                    | 5.58%                      | 7.31%                    | 4.32%                          | 6.27%                        | 7.07%                      | 7.59%                            | 0.00%                              | 4.45%                             |

|                      |        |        |       |       |       |       |       |       |       |       |
|----------------------|--------|--------|-------|-------|-------|-------|-------|-------|-------|-------|
| Qualified Applicants | 14.98% | 15.92% | 4.72% | 6.59% | 6.25% | 4.18% | 7.63% | 6.45% | 0.00% | 4.48% |
| Trigger?             | No     | No     | Yes   | Yes   | No    | Yes   | No    | Yes   | No    | No    |

| Fiscal Year 2022 PWTB Internal Applicants by Mission Critical Occupation |                  |                     |                      |                    |                          |                        |                      |                            |                           |                          |
|--|------------------|---------------------|----------------------|--------------------|--------------------------|------------------------|----------------------|----------------------------|---------------------------|--------------------------|
|  | Misc. Admin. 301 | Program Analyst 343 | General Engineer 801 | Civil Engineer 810 | Electronics Engineer 855 | Aerospace Engineer 861 | Aviation Safety 1825 | Transport. Specialist 2101 | Motor Carrier Safety 2123 | Air Traffic Control 2152 |
| Applicant pool   | 6.47%            | 6.32%               | 2.34%                | 3.20%              | 1.08%                    | 1.93%                  | 2.58%                | 2.46%                      | 0.00%                     | 0.78%                    |
| Qualified Applicants   | 6.37%            | 6.50%               | 2.54%                | 2.99%              | 0.00%                    | 0.46%                  | 1.65%                | 1.62%                      | 0.00%                     | 0.55%                    |
| Trigger?   | Yes              | No                  | No                   | Yes                | Yes                      | Yes                    | Yes                  | Yes                        | No                        | Yes                      |

4. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTB among employees promoted to any of the mission-critical occupations (MCO)? If "yes", please describe the triggers below.

- a. Promotions for MCO (PWD) Yes X No 0
- b. Promotions for MCO (PWTB) Yes X No 0

| Fiscal Year 2022 PWD Internal Applicants by Mission Critical Occupation |                  |                     |                      |                    |                          |                        |                      |                            |                           |                          |
|---|------------------|---------------------|----------------------|--------------------|--------------------------|------------------------|----------------------|----------------------------|---------------------------|--------------------------|
|   | Misc. Admin. 301 | Program Analyst 343 | General Engineer 801 | Civil Engineer 810 | Electronics Engineer 855 | Aerospace Engineer 861 | Aviation Safety 1825 | Transport. Specialist 2101 | Motor Carrier Safety 2123 | Air Traffic Control 2152 |
| Qualified Applicants  | 14.98%           | 15.92%              | 4.72%                | 6.59%              | 6.25%                    | 4.18%                  | 7.63%                | 6.45%                      | 0.00%                     | 4.48%                    |
| Promoted  | 12.12%           | 12.89%              | 4.88%                | 0.00%              | 12.50%                   | 1.11%                  | 4.93%                | 5.76%                      | 0.00%                     | 3.22%                    |
| Trigger?  | Yes              | Yes                 | No                   | Yes                | No                       | Yes                    | Yes                  | Yes                        | No                        | Yes                      |

| Fiscal Year 2022 PWTB Internal Applicants by Mission Critical Occupation |                  |                     |                      |                    |                          |                        |                      |                            |                           |                          |
|--|------------------|---------------------|----------------------|--------------------|--------------------------|------------------------|----------------------|----------------------------|---------------------------|--------------------------|
|  | Misc. Admin. 301 | Program Analyst 343 | General Engineer 801 | Civil Engineer 810 | Electronics Engineer 855 | Aerospace Engineer 861 | Aviation Safety 1825 | Transport. Specialist 2101 | Motor Carrier Safety 2123 | Air Traffic Control 2152 |

|                      |       |       |       |       |       |       |       |       |       |       |
|----------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Qualified Applicants | 6.37% | 6.50% | 2.54% | 2.99% | 0.00% | 0.46% | 1.65% | 1.62% | 0.00% | 0.55% |
| Promoted             | 3.79% | 3.61% | 4.88% | 0.00% | 0.00% | 1.11% | 1.12% | 1.44% | 0.00% | 0.38% |
| Trigger?             | Yes   | Yes   | No    | Yes   | No    | No    | Yes   | Yes   | No    | Yes   |

## 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.**

DOT provides training and career development opportunities for all employees, including those with disabilities. Employees are notified of developmental and training opportunities via venues such as the DOT Rotational Assignment Program, The Learning Highway, Career Advancement Webinar Series, Webinar Libraries, Training and Development e-mail systems, and Employee Awareness Programs. Online learning opportunities are accessible to all DOT employees through the Department's eLearning System (DOTLearns). DOT also connects with ERGs to share information with their members on available career development opportunities. Advertisements for training and workshops include language on reasonable accommodations. All marketing and promotional materials designed to inform DOT of training and professional development are 508-compliant.

The Department has a DOT-wide mentoring program that incorporates diversity and inclusion. DOT also manages an executive coaching program that offers individual and team coaching for GS-15 and SES employees. The Department also has developed a series of Career Path Guides that employees can access and utilize to identify the competencies required for success in various DOT occupational fields, including mission critical occupations.

Promotion opportunities are posted on internal intranet sites and on USAJOBS, and e-mails are sent to employees and agency employee resource groups with links to vacancy announcements on USAJOBS.

## B. Career Development Opportunities

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

DOT continues to promote and create career development opportunities for all DOT employees. These opportunities include career counseling, workshops on mentoring, interviewing, resume writing, and professional imaging. Additionally, as noted above, DOT has developed career path guides that are available to all employees.

### 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               | 2,618              | 210           | 5.9            | 10.5          | 2.6            | 1.0           |
| Fellowship Programs               | 2                  | 5             | 0.0            | 0.0           | 0.0            | 0.0           |
| Mentoring Programs                | 307                | 251           | 19.2           | 15.9          | 2.0            | 2.0           |
| Coaching Programs                 | 112                | 112           | 14.3           | 14.3          | 0.0            | 0.0           |
| Training Programs                 | 1,211              | 1203          | 17.1           | 17.1          | 3.1            | 3.2           |
| Detail Programs                   | 118                | 28            | 13.6           | 25.0          | 0.8            | 3.6           |
| Other Career Development Programs | 771                | 127           | 10.2           | 11.0          | 5.1            | 6.3           |

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.

a. Applicants (PWD) Yes X No 0  
b. Selections (PWD) Yes X No 0

Based on the available demographic information for career development programs, in FY 2022, DOT identified possible triggers for PWD among applicants for coaching, detail, and other career development programs. Additionally, DOT identified triggers for PWD among selectees for mentoring programs. DOT will conduct additional analysis to confirm these possible triggers.

4. Do triggers exist for **PWTD** among the applicants and/or selectees for any of the career development programs identified? (The appropriate benchmarks are the relevant applicant pool for applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Applicants (PWTD) Yes X No 0  
b. Selections (PWTD) Yes X No 0

Based on the available demographic information for career development programs, in FY 2022, DOT identified possible triggers for PWTD among applicants and selectees for internship and detail programs. DOT will conduct additional analysis to confirm these possible triggers.

### 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) Yes X No 0  
b. Awards, Bonuses, & Incentives (PWTD) Yes X No 0

|                                    | No Disability | PWD   | PWTD | PWD Trigger? | PWTD Trigger? |  |
|------------------------------------|---------------|-------|------|--------------|---------------|--|
| <b>Time-Off Awards - 1-9 hours</b> |               |       |      |              |               |  |
| Total Awards Given                 | 17,955        | 2,117 | 136  | Yes          | Yes           |  |
| Total Workforce                    | 45,034        | 5,689 | 848  |              |               |  |

|                             |        |        |        |    |     |  |
|-----------------------------|--------|--------|--------|----|-----|--|
| Inclusion Rate              | 39.87% | 37.21% | 16.04% |    |     |  |
| Time-Off Awards - 9+ hours  |        |        |        |    |     |  |
| Total Awards Given          | 6,687  | 1,517  | 121    | No | Yes |  |
| Total Workforce             | 45,034 | 5,689  | 848    |    |     |  |
| Inclusion Rate              | 14.85% | 26.67% | 14.27% |    |     |  |
| Cash Awards - \$100 - \$500 |        |        |        |    |     |  |
| Total Awards Given          | 6,813  | 1,438  | 128    | No | Yes |  |
| Total Workforce             | 45,034 | 5,689  | 848    |    |     |  |
| Inclusion Rate              | 15.13  | 25.28  | 15.09  |    |     |  |
| Cash Awards - \$501+        |        |        |        |    |     |  |
| Total Awards Given          | 15,683 | 3,812  | 372    | No | No  |  |
| Total Workforce             | 45,034 | 5,689  | 848    |    |     |  |
| Inclusion Rate              | 34.82  | 67.01  | 43.87  |    |     |  |

**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) Yes X No 0  
b. Pay Increases (PWTD) Yes X No 0

| Senior Executive Service Performance Awards | No Disability | Disability | Targeted | PWD Trigger? | PWTD Trigger? |
|---|---------------|------------|----------|--------------|---------------|
| Total Awards                                | 183           | 23         | 3        | Yes          | Yes           |
| Total WF                                    | 45,034        | 5,689      | 848      |              |               |
| Inclusion Rate                              | 0.41%         | 0.40%      | 0.35%    |              |               |
| Quality Step Increases (QSI)                | No Disability | Disability | Targeted | PWD Trigger? | PWTD Trigger? |
| Total Awards                                | 274           | 55         | 5        | No           | Yes           |
| Total WF                                    | 45,034        | 5,689      | 848      |              |               |
| Inclusion Rate                              | 0.61%         | 0.97%      | 0.59%    |              |               |

**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) Yes 0 No 0 N/A X  
b. Other Types of Recognition (PWTD) Yes 0 No 0 N/A X

#### 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.**

a. SES

i. Qualified Internal Applicants (PWD)      Yes 0      No X

ii. Internal Selections (PWD)      Yes 0      No X

b. Grade GS-15

i. Qualified Internal Applicants (PWD)      Yes X      No 0

ii. Internal Selections (PWD)      Yes X      No 0

c. Grade GS-14

i. Qualified Internal Applicants (PWD)      Yes X      No 0

ii. Internal Selections (PWD)      Yes X      No 0

d. Grade GS-13

i. Qualified Internal Applicants (PWD)      Yes X      No 0

ii. Internal Selections (PWD)      Yes X      No 0

| Senior Grade Level | % Applicant Pool | % of Qualified Internal Candidates | Trigger? | % of Selections | Trigger? |
|--------------------|------------------|------------------------------------|----------|-----------------|----------|
| GS-13              | 10.33%           | 8.61%                              | Yes      | 7.29%           | Yes      |
| GS-14              | 9.76%            | 7.90%                              | Yes      | 5.94%           | Yes      |
| GS-15              | 8.00%            | 6.68%                              | Yes      | 5.26%           | Yes      |

Data for SES applicants in FY 2022 were only available for FAA at the time of the report. No internal FAA SES applicants or selectees identified as a PWD. In FY 2022, no SES applicants or selectees identified as a PWD.

**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.**

a. SES

|   |       |      |
|---|-------|------|
| i. Qualified Internal Applicants (PWTD) | Yes 0 | No X |
| ii. Internal Selections (PWTD)          | Yes 0 | No X |

b. Grade GS-15

|   |       |      |
|---|-------|------|
| i. Qualified Internal Applicants (PWTD) | Yes X | No 0 |
| ii. Internal Selections (PWTD)          | Yes X | No 0 |

c. Grade GS-14

|   |       |      |
|---|-------|------|
| i. Qualified Internal Applicants (PWTD) | Yes X | No 0 |
| ii. Internal Selections (PWTD)          | Yes X | No 0 |

d. Grade GS-13

|   |       |      |
|---|-------|------|
| i. Qualified Internal Applicants (PWTD) | Yes X | No 0 |
| ii. Internal Selections (PWTD)          | Yes X | No 0 |

| Senior Grade Level | % of applicant pool | Qualified Internal Applicants | Trigger? | % of Selections | Trigger? |
|--------------------|---------------------|-------------------------------|----------|-----------------|----------|
| GS-13              | 4.46%               | 2.91%                         | Yes      | 2.29%           | Yes      |
| GS-14              | 3.90%               | 2.16%                         | Yes      | 1.31%           | Yes      |
| GS-15              | 2.63%               | 1.59%                         | Yes      | 1.42%           | Yes      |

Data for SES applicants in FY 2022 were only available for FAA at the time of the report. No internal FAA SES applicants or selectees identified as a PWTD.

**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.**

- |                             |       |      |
|-----------------------------|-------|------|
| a. New Hires to SES (PWD)   | Yes 0 | No X |
| b. New Hires to GS-15 (PWD) | Yes X | No 0 |
| c. New Hires to GS-14 (PWD) | Yes 0 | No X |
| d. New Hires to GS-13 (PWD) | Yes 0 | No X |

| Senior Grade Level | % of PWD Qualified Candidate | % of PWD Hires | Trigger? |
|--------------------|------------------------------|----------------|----------|
| GS-13              | 5.24%                        | 7.00%          | No       |
| GS-14              | 6.10%                        | 6.37%          | No       |
| GS-15              | 5.72%                        | 4.98%          | Yes      |
| SES                | 10.85%                       | 11.11%         | No       |

Data for SES applicants in FY 2022 were only available for FAA at the time of the report.

**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.**

- |                              |       |      |
|------------------------------|-------|------|
| a. New Hires to SES (PWTD)   | Yes 0 | No X |
| b. New Hires to GS-15 (PWTD) | Yes X | No 0 |
| c. New Hires to GS-14 (PWTD) | Yes X | No 0 |
| d. New Hires to GS-13 (PWTD) | Yes 0 | No X |

| Grade Level | % of PWTD Qualified Applicants | % of Hires | Trigger |
|-------------|--------------------------------|------------|---------|
| GS-13       | 2.03%                          | 2.04%      | No      |
| GS-14       | 2.04%                          | 1.54%      | Yes     |
| GS-15       | 1.66%                          | 1.28%      | Yes     |
| SES         | 1.59%                          | 11.11%     | No      |

Data for SES applicants in FY 2022 were only available for FAA at the time of the report.

**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.**

a. Executives

- |  |     |   |    |   |
|--|-----|---|----|---|
| i. Qualified Internal Applicants (PWD) | Yes | x | No | 0 |
| ii. Internal Selections (PWD)          | Yes | X | No | 0 |

b. Managers

- |  |     |   |    |   |
|--|-----|---|----|---|
| i. Qualified Internal Applicants (PWD) | Yes | X | No | 0 |
| ii. Internal Selections (PWD)          | Yes | X | No | 0 |

c. Supervisors

- |  |     |   |    |   |
|--|-----|---|----|---|
| i. Qualified Internal Applicants (PWD) | Yes | X | No | 0 |
| ii. Internal Selections (PWD)          | Yes | X | No | 0 |

| Category   | % of Applicant Pool | % of Qualified Internal Applicants | Trigger? | % of Selections | Trigger? |
|------------|---------------------|------------------------------------|----------|-----------------|----------|
| Supervisor | 2.30%               | 1.95%                              | Yes      | 0.76%           | Yes      |
| Manager    | 7.08%               | 5.87%                              | Yes      | 4.44%           | Yes      |
| Executives | 7.98%               | 6.64%                              | Yes      | 4.59%           | Yes      |

**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.**

a. Executives

i. Qualified Internal Applicants (PWTD)      Yes X      No 0

ii. Internal Selections (PWTD)      Yes X      No 0

b. Managers

i. Qualified Internal Applicants (PWTD)      Yes X      No 0

ii. Internal Selections (PWTD)      Yes X      No 0

c. Supervisors

i. Qualified Internal Applicants (PWTD)      Yes X      No 0

ii. Internal Selections (PWTD)      Yes X      No 0

| Category    | % of applicant pool | Qualified Internal Applicants | Trigger? | % of Selections | Trigger? |
|-------------|---------------------|-------------------------------|----------|-----------------|----------|
| Supervisors | 0.33%               | 0.23%                         | Yes      | 0.00%           | Yes      |
| Managers    | 2.37%               | 1.20%                         | Yes      | 1.17%           | Yes      |
| Executives  | 2.65%               | 1.58%                         | Yes      | 1.22%           | Yes      |

**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.**

- a. New Hires for Executives (PWD) Yes X No 0
- b. New Hires for Managers (PWD) Yes X No 0
- c. New Hires for Supervisors (PWD) Yes X No 0

| Category    | % of Qualified Applicants | % of Selections | Trigger? |
|-------------|---------------------------|-----------------|----------|
| Supervisors | 1.84%                     | 0.76%           | Yes      |
| Managers    | 5.89%                     | 4.53%           | Yes      |
| Executives  | 6.46%                     | 4.66%           | Yes      |

**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.**

- a. New Hires for Executives (PWTD) Yes X No 0
- b. New Hires for Managers (PWTD) Yes X No 0
- c. New Hires for Supervisors (PWTD) Yes X No 0

| Category    | % of Qualified Internal Applicants | % of Selections | Trigger? |
|-------------|------------------------------------|-----------------|----------|
| Supervisors | 0.28%                              | 0.00%           | Yes      |
| Managers    | 1.63%                              | 1.29%           | Yes      |
| Executives  | 1.69%                              | 1.27%           | Yes      |

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

To be a 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 personal assistance services.

### A. Voluntary and Involuntary Separations

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

Yes X      No 0      N/A 0

- 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)**      Yes X      No 0

**b. Involuntary Separations (PWD)**      Yes X      No 0

Based on the inclusion rate, in FY 2022, the voluntary separation rate for PWD (8.9%) was higher than that of employees without a disability (5.2%). The PWD involuntary separation rate (2.0%) exceeded the non-PWD involuntary separation rate (1.2%) in FY 2022.

**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.**

|  |              |             |
|--|--------------|-------------|
| <b>a. Voluntary Separations (PWTD)</b>   | <b>Yes 0</b> | <b>No X</b> |
| <b>b. Involuntary Separations (PWTD)</b> | <b>Yes X</b> | <b>No 0</b> |

Based on the inclusion rate, in FY 2022, the voluntary separation rate for PWTD (4.7%) was lower than that of employees without a targeted disability (5.9%). The involuntary separation rate for PWTD (2.7%) was higher than that of employees without a targeted disability (1.3%).

**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*.**

FY 2022 exit interview data found that 5.3% of respondents self-identified as a person with a disability (PWD) (48.5% of applicants indicated no disability and 46.3% of respondents did not answer); 2.5% of respondents identified themselves as having a targeted disability. Exit survey results from the PWD respondents and PWTD respondents indicate that the four most highly cited factors in respondents’ decisions to leave were Leadership, Nature of Work, Fairness, and Employee Interactions, with over 50% of both PWD and PWTD agreeing or strongly agreeing to each of these as a major consideration in their separation. (Respondents often answered “Agree” or “Strongly Agree” to several different questions about factors that contributed to their decision.) Compared with exit interview respondents who did not identify as having a disability, PWD and PWTD were less likely to cite Compensation and Benefits or Work/Life Balance as reasons for their departure. 26% of PWD and 33% of PWTD cited EEO issues or the overall workplace environment as factors in their decision to leave, compared with only 9% of survey respondents without a disability.

## **B. Accessibility of Technology and Facilities**

Pursuant to 29 C.F.R. § 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.transportation.gov/accessibility>

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

<https://www.transportation.gov/mission/facility-accessibility>

- 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.**

The DRC provides technical assistance to DOT staff on issues related to accessible facilities and technology.

DOT's headquarters building was constructed with the goal of accessibility and compliance with the Architectural Barriers Act and Access Board requirements. As DOT consolidates or moves to new workspaces, facility accessibility is a priority. GSA assists with DOT's leased space needs and with appropriate contractual lease language.

### **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.)**

Based on a review of data from the DOT Reasonable Accommodation Management System, initial requests for reasonable accommodations were processed in an average time frame of 120 business days in FY 2022.

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

The DRC is centrally funded and provides reasonable accommodations to employees and job applicants. A delivery model of this type ensures fair and consistent outcomes throughout DOT. This program is funded through the Working Capital Fund. DRC also provides training for certain accommodations to ensure the employee’s success in using the identified product. This training is usually contracted with an outside vendor. The vendor is provided with the employee’s contact information and contacts the employee to schedule the training directly with the employee.

DRC provides services such as sign language interpreting and PAS services through nationwide contracts. Staff interpreters are also available to provide interpreting services. DRC also provides captioning services and assistive technology-related trainings.

In FY 2021, DOT issued DOT Order 1011.1B: “Procedures for Processing Reasonable Accommodation Requests from Job Applicants and DOT Employees with Disabilities.” It establishes written procedures for the provision of reasonable accommodations for employees and applicants at the agency, including timely processing of requests as well as timely providing approved accommodations.

This update clarifies roles and responsibilities for the decision-making process, includes requirements to respond to public questions regarding reasonable accommodation, and incorporates requirements to ensure personal assistance services are available to individuals who require such services as a reasonable accommodation.

#### **D. Personal Assistance Services Allowing Employees to Participate in the Workplace**

Pursuant to 29 C.F.R. § 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.

The DRC has provided Personal Assistance Services (PAS) since 2004.

PAS are available to DOT employees throughout the United States and are processed in the same manner as a reasonable accommodation. The employee requests the PAS by informing either his or her supervisor, human resources personnel, designated decision maker, or other suitable DOT representative that they require assistance with daily life activities because of a medical condition/targeted disability. The employee and/or representative contacts the DRC to speak with a Reasonable Accommodation Analyst to begin the interactive process.

Employees who are required to travel can utilize PAS via:

- Nationwide contract: Services are procured through DRC's nationwide contract, or
- Invitational Travel: employee has their own Personal Assistant (typically a spouse or family member).

Once an employee has been approved for PAS, the vendor is immediately notified. The vendor contacts the employee within 24 hours to discuss approved services and set up a schedule of services.

DRC has a PAS coordinator on-site at DOT Headquarters. This allows for easier handling of customer late/last minute PAS requests, and issues and complaints can be addressed quickly.

DRC has updated its Handbook to reflect the expansion of their PAS to meet the revised requirements, as mentioned in Subsection C Question 2 of this section. The agency has also posted an FAQ on PAS on its public-facing website.

## 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?**

Yes 0      No X      N/A 0

**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?**

Yes 0      No X      N/A 0

**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.**

The agency had no findings of harassment based on disability in FY 2022.

**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?**

Yes 0      No X      N/A 0

**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?**

Yes 0      No X      N/A 0

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

N/A

**Section VII: Identification and Removal of Barriers**

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

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

Yes X      No 0

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

Yes X      No 0      N/A 0

**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.**

|            |   |
|------------|---|
| Trigger 1  | People with targeted disabilities (PWTD) have a participation rate in DOT's workforce below 2%.   |
| Barrier(s) | Recruitment Practices; DOT focuses recruitment on distributing competitive vacancy announcements. |

|  |   |  |                               |                                     |
|--|---|--|-------------------------------|-------------------------------------|
| Objective(s)   | Increase hiring manager and HR Specialist awareness and knowledge of how to use non-competitive hiring authorities for individuals with disabilities (Schedule A; "On-the-Spot" within FAA).  |  |                               |                                     |
| Responsible Official(s)                                      |   | Performance Standards Address the Plan?<br>(Yes or No) |                               |                                     |
| Anne Audet, Director, DOHRM;<br>Irene Marion, Director, DOCR |   | Yes  |                               |                                     |
| Target Date<br>(mm/dd/yyyy)                                  | Planned Activities  | Sufficient Staffing & Funding<br>(Yes or No)           | Modified Date<br>(mm/dd/yyyy) | Completion Date<br>(mm/dd/yyyy)     |
| Ongoing  | Educate hiring managers and HR Specialists on available hiring flexibilities to include Schedule A through the revamped and user-friendly hiring tool kit.  | Yes  |                               | 09/30/2023                          |
| Ongoing  | DOCR will analyze data regarding disability status reporting of preference-eligible veterans to determine what, if any, outreach education should be developed to encourage identifying as a PWD/PWTD.  | Yes  |                               | 09/30/2023<br>UPDATED<br>09/30/2024 |
| Fiscal Year  | Accomplishments   |  |                               |                                     |
| 2022   | <p>DOHRM continued to utilize its automated Hiring Toolkit for Hiring Managers and HR Specialists, which clearly delineates the steps of using the Schedule A authority.</p> <p>DOHRM continued ongoing training of HR Staffing Specialists on the DOT Schedule A Hiring Authority process as laid out in the Departmental Personnel Manual.</p> <p>OST HR Operations has communicated the Schedule A hiring process through the OA/HR Partnership meeting and participated in all Schedule A hiring events at DOT.</p> <p>The FY 2022 participation rate of 1.57% for PWTDs at DOT represents a substantial increase compared with the FY 2021 participation rate of 0.77%, per MD-715 workforce tables.</p> <p>Among new hires to the permanent workforce in FY 2022, 2.93% were PWTD, thus exceeding the 2% hiring goal.</p> <p>DOT recognizes that many veterans hired with preference based on 30% or more disability do not report a targeted disability on the SF-256 during</p> |  |                               |                                     |

|  |  |
|--|--|
|  | the onboarding process. DOHRM and DOCR are considering opportunities to enhance DOT data on employees with disabilities. |
|--|--|

|  |  |  |  |                                 |  |
|--|--|--|--|---------------------------------|--|
| Trigger 2  | <p>According to DOT's internal Exit Survey in FY 2022, PWD and PWTD employees are more than twice as likely to separate than non-PWD employees because of fairness, EEO environment, recognition and awards, as well as training, education, and advancement reasons. 26% of PWD and 33% of PWTD cited EEO issues or the overall workplace environment as factors in their decision to leave, compared with only 9% of survey respondents without a disability. More than half of PWD (63%) and PWTD (56%) cited leadership as a reason for separation, compared with 31% of respondents without a disability.</p> <p>According to the FY 2022 DOT Exit Survey data, confidence in leadership's ability to lead the organization in the right direction and trust in the organization's leaders were the most highly-cited individual factors in respondents' decision to leave, with over half of PWD respondents agreeing or strongly agreeing to this as a major consideration in their separation (58% in each case). 52% of PWD respondents also noted fair allocation of career advancement opportunities as a major individual factor in their decision to leave.</p> |  |  |                                 |  |
| Barrier(s)   | Retention; workplace conditions and career opportunities may be affecting the work environment for PWTD.   |  |  |                                 |  |
| Objective(s)   | Identify specific workplace issues related to fairness in the workplace that may be impacting retention, including educating employees and managers about available career development opportunities; and promoting awareness on executive communication skills and reasonable accommodation   |  |  |                                 |  |
| Responsible Official(s)                                      |  |  | Performance Standards Address the Plan?<br>(Yes or No) |                                 |  |
| Anne Audet, Director, DOHRM;<br>Irene Marion, Director, DOCR |  |  | Yes  |                                 |  |
| Target Date<br>(mm/dd/yyyy)                                  | Planned Activities   | Sufficient Staffing & Funding<br>(Yes or No) | Modified Date<br>(mm/dd/yyyy)                          | Completion Date<br>(mm/dd/yyyy) |  |
| Ongoing  | Educate employees and supervisors on available career development opportunities  | Yes  |  | 09/30/2022                      |  |
| Ongoing  | Educate managers and supervisors on effective communication with staff and the availability of   | Yes  |  | 09/30/2022                      |  |

|             |   |     |  |                                     |
|-------------|---|-----|--|-------------------------------------|
|             | mediation services, and the anti-harassment program.  |     |  |                                     |
| Ongoing     | Provide additional training on reasonable accommodation to supervisors and managers   | Yes |  | 09/30/2023<br>UPDATED<br>09/30/2024 |
| Fiscal Year | Accomplishments   |     |  |                                     |
| 2022        | <p>In late FY 2019, the Department adopted its Anti-Harassment Policy and in FY 2020, the Department began to implement procedures, including timeframes for investigations and regular training on the program for all staff, with specific trainings provided for supervisors and managers. The policy covers all groups, including persons with disabilities. DOT continued to increase program awareness for all employees and will support the development of improved trainings in FY 2023.</p> <p>The Department continued to collect and analyze data on employee participation in competitive career development opportunities to aid with educating employees on the various opportunities available to them. DOT's DEIA Strategic Plan emphasizes the need to track participation in specific types of agency-offered opportunities and provided technical assistance as needed.</p> |     |  |                                     |

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

Not applicable.

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

The planned activities are ongoing. Under the framework of the DEIA Strategic Plan, DOT is conducting in-depth data analysis and developing metrics to evaluate impacts of actions to remove barriers in employment and retention for persons with targeted disabilities.

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

The planned activities are ongoing. Under the framework of the DEIA Strategic Plan, DOT is conducting in-depth data analysis and developing metrics to evaluate impacts of actions to remove barriers in employment and retention for persons with targeted disabilities.