

## **PART J**

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

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

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

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

### **Section I: Efforts to Reach Regulatory Goals**

EEOC regulations (29 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 . C l u s t e r   G S - 1   t o   G S - 1 0   ( P W D )      Y e s   N o
- b . C l u s t e r   G S - 1 1   t o   S E S   ( P W D )      Y e s   N o

**Response:** HUD's permanent PWD employees in clusters GS-01 to GS-10 is currently at 10.58% or 78 employees and GS-11 to SES is currently at 9.16% or 675 employees, which both fall below than the Federal goal of 12% by 1.42% and 2.84%, respectively.

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.

- c . C l u s t e r   G S - 1   t o   G S - 1 0   ( P W T D )      Y e s   N o
- d . C l u s t e r   G S - 1 1   t o   S E S   ( P W T D )      Y e s   N o

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

**Response:** HUD communicates its numerical goals with hiring managers and recruiters through Department-wide dissemination and posting of its annual Management Directive (MD) 715 Report, and by conducting an annual State of Equal Employment Opportunity (EEO) Brief for the Secretary, Deputy Secretary, and senior leadership. In addition, HUD regularly briefs program offices on workforce diversity, including numerical hiring and attrition goals for PWDs and PWTDs.

## 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 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 No**
2. Identify all staff responsible for implementing the agency’s disability employment program by the office, staff employment status, and responsible official.

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTD	1	0	0	<i>Lisa E. Swinney, Selective Placement Coordinator, OCHCO</i> <a href="mailto:lisa.e.swinney@hud.gov">lisa.e.swinney@hud.gov</a>
Answering questions from the public about hiring authorities that take disability into account	1	0	0	<i>Lisa E. Swinney, Selective Placement Coordinator, OCHCO</i> <a href="mailto:lisa.e.swinney@hud.gov">lisa.e.swinney@hud.gov</a>
Processing reasonable accommodation requests from applicants and employees	4	0	0	<i>Erica M. Jones, Reasonable Accommodation Branch Chief, OCHCO</i> <a href="mailto:erica.m.jones@hud.gov">erica.m.jones@hud.gov</a>
Section 508 Compliance	0	1	40	<i>Jeffrey Salit, Section 508 Coordinator, OCIO</i> <a href="mailto:jeffrey.l.salit@hud.gov">jeffrey.l.salit@hud.gov</a>
Architectural Barriers Act Compliance	0	0	9	<i>Jeanine M. Worden, ABA Coordinator, OGC</i> <a href="mailto:jeanine.m.worden@hud.gov">jeanine.m.worden@hud.gov</a>

Special Emphasis Program for PWD and PWTD	1	0	0	<i>Eric M. Gima, Diversity Program Manager, Affirmative Employment Division, ODEEO</i> <a href="mailto:eric.m.gima@hud.gov">eric.m.gima@hud.gov</a>
Processing computer accommodation (Assistive Technology Program) requests from applicants and employees	4	0	0	<i>Jeffrey Salit, Assistive Technology Program Coordinator, OCIO</i> <a href="mailto:Jeffrey.l.salit@hud.gov">Jeffrey.l.salit@hud.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(s) that disability program staff have received. If “no”, describe the training(s) planned for the upcoming year.

Yes

No

**Response:** It is not clear what specific training disability program staff took during FY 2018; however, the Office of Departmental Equal Employment Opportunity (ODEEO) is establishing a workgroup with the Office of the Assistant Secretary for Administration, the Office of the Chief Financial Officer, and the Office of General Counsel to set parameters on the type of training that disability program staff should receive. In addition, the workgroup will track the training that such staff complete and include the information in the FY 2019 report. During FY 2018, disability program staff took training that is available Department-wide. Such training includes, using the Schedule A hiring authority and responding to requests for reasonable accommodation.

**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 No**

**Response:** HUD continues to provide sufficient support and resources to the agency’s Disability Employment Program.

## Section III: Program Deficiencies in the Disability Program

FedSEP will provide the program deficiencies from the current Part G. We highlighted the Part G questions in green. In the chart below, please list the highlighted Part G questions with “No” answers and provide the agencies’ comments, if any. If there are no program deficiencies, please state “The agency has not reported any program deficiencies involving the disability program.”)

### Program Deficiencies:

- Does HUD review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.?
- Are 90% of accommodation requests processed within the time frame set forth in HUD’s procedures for reasonable accommodation?

### Objectives:

- Establish a comprehensive Reasonable Accommodation Program (i.e., policies and procedures) and system to track, analyze, and evaluate reasonable accommodation requests of HUD employees, and ensure full compliance with EEOC guidance titled *Procedures for Providing Reasonable Accommodation for Individuals With Disabilities*, Executive Order 13164 titled *Requiring Federal Agencies To Establish Procedures To Facilitate the Provision of Reasonable Accommodation*, Section 501 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).

### Accomplishments:

- HUD reentered deliberations regarding its newly developed Reasonable Accommodation Program’s policies and procedures in order to finalize and submit to the EEOC for review and concurrence by September 30, 2019. HUD will continue to keep EEOC closely apprised of any updates and future developments surrounding its reasonable accommodation policies and procedures.
- HUD implemented the Reasonable Accommodation Portal to monitor, track, facilitate, and report on administrative functions and case management of reasonable accommodations requests at HUD. HUD’s Reasonable Accommodation Portal is an automated record-keeping system with functions that include secure storage of reasonable accommodation request information, supporting documentation, disposition of requests, decisions and justifications for decisions, appeals, and implementation. It will also track information used to hold the agency accountable for timely and appropriate responses to reasonable accommodations requests. Finally, it will facilitate the development and maintenance of a system of records for reasonable accommodation requests, generate procedural notices, and generate summary reports.

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

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

### A. PLAN TO IDENTIFY JOB APPLICANTS WITH DISABILITIES

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

**Response:** HUD continues to promote the participation of all HUD-wide activities aimed at increasing the participation of PWDs and PWTDs, including utilizing OPM's contract vendor (Bender Consulting) and State Vocational Rehabilitation Centers to recruit, hire, and retain qualified PWDs and PWTDs. In addition, HUD also utilizes the Department of Labor's (DOL) Workforce Recruitment Program, which connects Federal employers with highly motivated college students and recent graduates with disabilities eager to enter the workplace. Finally, HUD hosted a successful job fair to recruit qualified GS-7 through GS-15 PWD candidates for all program offices. More than 660 veterans, peace corps and vista, and other Schedule A applicants visited HUD program office tables throughout the day, which resulted in over 27 selections and in 7 final job offers being made to date.

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.

**Response:** HUD reviews the respective program office's Position Organizational Listing (POL) for potential vacancies and future positions. Qualified Schedule A applicants are then referred to the program offices' Administrative Officers for immediate review and consideration prior to a vacancy being announced. In addition, as stated above, HUD hosted a successful job fair to recruit PWD candidates for all program offices, which resulted in over 27 selections and in 7 final job offers being made to date.

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.

**Response:** HUD verifies the appropriate proof of disability supporting documentation issued by licensed medical professionals, vocational rehabilitation specialists, or any Federal or state agency to determine eligibility. Applicants are forwarded either by review of the POL for anticipated positions or at the request of a program office. All applicants eligible for a special hiring authority are referred on a separate certificate after review of applications through vacancy announcement. Selecting officials receive quarterly training on how the authority can be used, and they are given an additional overview when reviewing an applicant for consideration using the Schedule A authority.

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 No**

**Response:** HUD provides ad hoc training to all program hiring managers and administrative officers on qualified hiring authorities and practices to increase HUD’s use of the Schedule A hiring authority and Veterans recruitment programs. This training is provided in person and virtually for field 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.

**Response:** HUD continues to utilize OPM’s contract vendor (Bender Consulting), DOL’s Workforce Recruitment Program, and other resources to recruit and hire PWDs and PWTDs. In addition, HUD continues to partner with the Division of Vocational Rehabilitative Services and the Department for the Blind and Vision Impaired to promote future hiring opportunities for PWDs and PWTDs.

**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.

- e. New Hires for Permanent Workforce (PWD) **Yes No**
- f. New Hires for Permanent Workforce (PWTD) **Yes No**

**Response:** Of HUD’s 239 new hires in the permanent workforce, PWDs accounted for 27 or 11.30%, which is slightly below the 12% goal.

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.

- g. New Hires for MCO (PWD) **Yes No**
- h. New Hires for MCO (PWTD) **Yes No**

**Response:** In FY 2018, except for series 301 (12.07%), 360 (20%), and 511 (13.51%), MCOs are below the Governmentwide goal of 12% with a new hire rate of 0.00% for PWDs. With respect to PWTDs, all MCO were below the Governmentwide goal of 2% except series 301 (5.17%) and 1101 (2.70%).

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.

- i. Qualified Applicants for MCO (PWD) Yes No
- j. Qualified Applicants for MCO (PWTD) Yes No

**Response:** HUD does not have the applicant flow data to meet this requirement. The ODEEO will work with the Office of the Assistant Secretary of Administration over the next two fiscal years to establish a mechanism by which such data may be obtained and analyzed.

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

- k. Promotions for MCO (PWD) Yes No
- l. Promotions for MCO (PWTD) Yes No

**Response:** HUD does not have the applicant flow data to meet this requirement. The ODEEO will work with the Office of the Assistant Secretary of Administration over the next two fiscal years to establish a mechanism by which such data may be obtained and analyzed.

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

Pursuant to 29 C.F.R §1614.203(d)(1)(iii), agencies are required to provide sufficient advancement opportunities for persons 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 persons with disabilities.

### A. ADVANCEMENT PROGRAM PLAN

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

**Response:** In addition to HUD's annual Management Directive (MD) 715 Report and its Inclusive Diversity Strategic Plan, the ODEEO will collaborate with the Office of the Assistant Secretary of Administration, Office of the Chief Financial Officer, and Office of General Counsel to create a workgroup that is responsible for reestablishing a 5-year plan for hiring PWD and PWTD. The 5-year plan will result in implementation of strategies to promote the advancement of opportunities for PWDs and PWTDs in all mission critical occupations and grade levels. These strategies will enable HUD to sustain a 2 % goal for all new PWTD hires and continue to promote a 12 % goal for PWD hires over the next 5 years.

### B. CAREER DEVELOPMENT OPPORTUNITIES

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

**Response:** Unfortunately, in FY2018 the agency did not capture data concerning its career development program opportunities specifically isolated by PWDs and PWTDs. In FY 2019, ODEEO will collaborate with our stakeholders to establish a working group to address the Department's career development opportunities and training needs to ensure that such data is captured for the current period and going forward.

2. 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 applicants and the applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a .	A p p l i c a n t s	( P W D )	Y e s	N o
b .	S e l e c t i o n s	( P W D )	Y e s	N o

3. 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 (PWTB) Yes No
- b. Selections (PWTB) Yes No

**C. AWARDS**

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

- a. Awards, Bonuses, & Incentives (PWD) Yes No
- b. Awards, Bonuses, & Incentives (PWTB) Yes No

**Response:** In FY 2018, HUD identified triggers involving the percentage of PWDs for time-off awards from 11 to 20 hours and 31 to 40 hours, and cash awards from \$ 500 up to \$2,999. With respect to PWTBs, triggers were also noted for time-off awards from 11 to 40 hours and for cash awards from \$ 500 up to \$2,999.

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

- a. Pay Increases (PWD) Yes No
- b. Pay Increases (PWTB) Yes No

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

- a. Other Types of Recognition (PWD) Yes No
- b. Other Types of Recognition (PWTB) Yes No

**D. PROMOTIONS**

1. Does your agency have a trigger involving PWDs 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 No
- ii. Internal Selections (PWD) Yes No

b. Grade GS-15

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

- c. Grade GS-14
  - i. Qualified Internal Applicants (PWD) **Yes** No
  - ii. Internal Selections (PWD) **Yes** No
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWD) **Yes** No
  - ii. Internal Selections (PWD) **Yes** No

**Response:** In FY 2018, the percentage of PWD among the qualified internal applicants for grade GS-13 (5.87%), GS-14 (3.09%), and GS-15 (0.00%) fell below the benchmark.

In FY 2018, the percentage of PWD among the selectees for promotion at grades GS-13 (2.86%), GS-14 (0.00%), and GS-15 (0.00%) fell below the benchmark.

2. Does your agency have a trigger involving PWTDs 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** **No**
  - ii. Internal Selections (PWTD) **Yes** **No**
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWTD) **Yes** **No**
  - ii. Internal Selections (PWTD) **Yes** **No**
- c. Grade GS-14
  - i. Qualified Internal Applicants (PWTD) **Yes** **No**
  - ii. Internal Selections (PWTD) **Yes** **No**
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWTD) **Yes** **No**
  - ii. Internal Selections (PWTD) **Yes** **No**

**Response:** In FY 2018, the percentage of PWTDs among the qualified internal applicants for grade GS-14 (0.88%) and GS-15 (0.00%) fell below the benchmark.

In FY 2018, the percentage of PWTDs among the selectees for promotion at grades GS-13 (0.95%), GS-14 (0.00%), and GS-15 (0.00%) fell below the benchmark.

3. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD's 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)   | <b>Yes</b> | No        |
| b. New Hires to GS-15 (PWD) | <b>Yes</b> | No        |
| c. New Hires to GS-14 (PWD) | <b>Yes</b> | No        |
| d. New Hires to GS-13 (PWD) | Yes        | <b>No</b> |

**Response:** HUD's overall permanent new hire rate for FY 2018 resulted in 11.30 % for PWDs, just shy of the Governmentwide goal of 12 %. Specifically, the Department missed the 12 % goal for PWDs within the following grade levels: SES (8.33 %), GS-15 (7.05 %) and GS-14 (11.27 %). Conversely, at the GS-13 (18 %) grade level, the Department exceeded the 12 % goal.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD's 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)   | <b>Yes</b> | No        |
| b. New Hires to GS-15 (PWTD) | Yes        | <b>No</b> |
| c. New Hires to GS-14 (PWTD) | Yes        | <b>No</b> |
| d. New Hires to GS-13 (PWTD) | Yes        | <b>No</b> |

**Response:** HUD's overall permanent new hire rate for FY 2018 resulted in 2.51 % for PWTDs. Within grade levels GS-13 (2.40 %), GS-14 (7.65 %), and GS-15 (3.13 %) the Department exceeded the 2 % goal. However, at the SES grade level, HUD's hiring rate was 0.00 %.

5. Does your agency have a trigger involving PWDs 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) | <b>Yes</b> | No |
| ii. Internal Selections (PWD)          | <b>Yes</b> | No |

b. Managers

- |  |            |    |
|--|------------|----|
| i. Qualified Internal Applicants (PWD) | <b>Yes</b> | No |
| ii. Internal Selections (PWD)          | <b>Yes</b> | No |

c. Supervisors

i. Qualified Internal Applicants (PWD)	Yes	No
ii. Internal Selections (PWD)	Yes	No

**Response:** In FY2018, HUD found that triggers exist for PWDs among applicants and selectees for new hires to supervisor, manager, and executive positions. Based on the data tables, there were no internal selections at SES grade level. Unfortunately, our workforce data tables do not speak to any qualified internal applicants or internal selections segregated between managers and supervisors. While HUD can speak to the overall number of GS-13s through GS-15s hired, we are currently limited in our ability to distinguish between supervisory and nonsupervisory categories for the purpose of annotating a more concise reply. Specifically, the Department missed the 12 % goal for PWDs within the following grade levels: SES (8.33 %), GS-15 (7.05 %) and GS-14 (11.27 %). Conversely, at the GS-13 (18 %) grade level, the Department exceeded the 12 % goal for all new hires.

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	No
ii. Internal Selections (PWTD)	Yes	No

b. Managers

i. Qualified Internal Applicants (PWTD)	Yes	No
ii. Internal Selections (PWTD)	Yes	No

c. Supervisors

i. Qualified Internal Applicants (PWTD)	Yes	No
ii. Internal Selections (PWTD)	Yes	No

**Response:** In FY2018, the agency found that triggers exist for PWTDs among applicants and selectees for new hires to supervisor, manager, and executive positions. Based on the data tables, there were no internal selections at SES grade level. Unfortunately, our workforce data tables do not speak to any qualified internal applicants or internal selections segregated between managers and supervisors. While HUD can speak to the overall number of GS-13s through GS-15s hired, we are currently limited in our ability to distinguish between supervisory and non-supervisory categories for the purpose of annotating a more concise reply. HUD’s overall permanent new hire rate for FY 2018 resulted in 2.51% for PWTDs. Within grade levels GS-13 (2.40%), GS-14 (7.65%), and GS-15 (3.13%) the Department exceeded the 2% goal for new hires. However, at the SES grade level, HUD’s hiring rate was 0.00%.

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 No
- b. New Hires for Managers (PWD) Yes No
- c. New Hires for Supervisors (PWD) Yes No

**Response:** In FY2018, the agency found that triggers exist for PWDs among selectees for new hires to supervisor, manager, and executive positions. Based on the data tables, HUD can speak to the overall number of GS-13s through GS-15s hired; however, we are currently limited in our ability to distinguish between supervisory and non-supervisory categories for the purpose of annotating a more concise reply. Specifically, the Department missed the 12% goal for PWDs within the following grade levels: SES (8.33%), GS-15 (7.05%), and GS-14 (11.27%). Conversely, at the GS-13 (18%) grade level, the Department exceeded the 12% goal for all new hires.

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD's 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 No
- b. New Hires for Managers (PWTD) Yes No
- c. New Hires for Supervisors (PWTD) Yes No

**Response:** In FY2018, the agency found that triggers exist for PWTDs among selectees for new hires to supervisor, manager, and executive positions. Based on the data tables, HUD can speak to the overall number of GS-13s through GS-15s hired; however, we are currently limited in our ability to distinguish between supervisory and non-supervisory categories for the purpose of annotating a more concise reply. HUD’s overall permanent new hire rate for FY 2018 resulted in 2.51% for PWTDs. Within grade levels GS-13 (2.40%), GS-14 (7.65%), and GS-15 (3.13%) the Department exceeded the 2% goal for new hires. However, at the SES grade level, HUD’s hiring rate was 0.00%.

## Section VI: 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** **No**

**Response:** The agency does not have an automated system to monitor the status of Schedule A employees with disabilities. Instead, these statuses are monitored manually by the Shared Service Provider and reminder notifications are sent to the managers to take appropriate action.

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 . V o l u n t a r y S e p a r a t i o n s ( P W D ) Y e s N o

b . I n v o l u n t a r y S e p a r a t i o n s ( P W D ) Y e s N o

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

a . V o l u n t a r y S e p a r a t i o n s ( P W T D ) Y e s N o

b . I n v o l u n t a r y S e p a r a t i o n s ( P W T D ) Y e s N o

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

N/A

### B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

Pursuant to 29 C.F.R. § 1614.203(d)(4), federal agencies are required to inform job 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.

**Response:** HUD implemented an agency-wide policy on Section 508 of the Rehabilitation Act and Accessible Technology. The Policy sets forth the Department's framework for the implementation and integration of Section 508 requirements, including identifying employee and applicant rights under Section 508, describing how to file a complaint, and explaining which HUD offices are responsible for receiving, recording, timely reviewing, and coordinating efforts regarding a Section 508 complaint. The Policy is publicly available at <https://www.hud.gov/sites/dfiles/OCIO/documents/s508022217.pdf>. In addition, HUD provides additional information on its public-facing website regarding where complaints can be filed by linking to other agency websites, such as the Access Board and General Services Administration: [https://www.hud.gov/program\\_offices/cio/Section\\_508\\_At\\_HUD](https://www.hud.gov/program_offices/cio/Section_508_At_HUD).

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.

**Response:** HUD provides a link to the Access Board's website, which provides information on how to file an Architectural Barriers Act complaint: [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/physical\\_accessibility#\\_Architectural\\_Barriers\\_Act](https://www.hud.gov/program_offices/fair_housing_equal_opp/physical_accessibility#_Architectural_Barriers_Act).

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.

**Response:** HUD continues to engage in several education and outreach endeavors aimed at improving accessibility of its facilities and technology, pursuant to Section 508 and other Federal accessibility requirements, such as: (1) publication of an agency-wide Section 508 Policy, identification of office responsibilities, and continuation of a variety of training opportunities following HUD's inaugural Accessibility Awareness Day; (2) review of electronic and information technology in departmental clearance and various programs and applications to increase compliance with Section 508; (3) establishment of a Section 508 compliance and investment committee, with representatives from all major offices, which reports to the Deputy Secretary and HUD leadership; and (4) increased engagement with vendors (software and equipment) to increase compliance.

### **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.)

**Response:** HUD's average time frame for processing Departmentwide initial requests for reasonable accommodations during this reporting period was approximately 35 days.

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

**Response:** HUD provided virtual and/or in-person management training on reasonable accommodation, along with providing an updated video on the agency's internal website, titled *Overview of Reasonable Accommodation for Managers*, led by an Assistant General Counsel representative from the EEOC. In addition, FAQs and supplemental trainings and videos are provided to the workforce through HUD Learn.

#### **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, timely providing approved services, conducting training for managers and supervisors, and monitoring PAS requests for trends.

**Response:** HUD is updating its Reasonable Accommodation Program policy to include the implementation of EEOC's Personal Assistance Services (PAS) requirement. Request for PAS will follow the same process as outlined in HUD Handbook 7855.1, *Accommodation Request for Persons with Disabilities*. The policy outlines the process for requesting PAS, determining whether such services are required, and the agency's right to deny such requests when provision of the services would pose an undue hardship, which are the same as for reasonable accommodation.

The updated policy completed the Department's internal clearance process, and suggested edits are currently being reviewed and incorporated. The Department has not yet received any requests for PAS but has a contractor in place to ensure that PAS will be made available to employees with disabilities when needed. Also, the Department has developed and will timely implement an affirmative employment plan for PWTDs. For this purpose, HUD is utilizing this report as our affirmative employment plan for PWTDs. Furthermore, the Department will employ this report to measure our progress on PAS and all other matters impacting PWTDs.

In addition, the Department is working diligently to ensure that applicants and employees with disabilities promptly receive reasonable accommodations. HUD will keep EEOC closely apprised of updates and developments with respect to the updated reasonable accommodation procedures and will submit them to EEOC for approval prior to implementation. HUD anticipates that the process for finalizing the updated reasonable accommodation policy will be completed by the end of the third quarter of Calendar Year 2019.

## Section VII: EEO Complaint and Findings Data

### A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Yes                      No

- **Response:** The total number of formal complaints for FY 2018 was 94. Of the 94 complaints, 24 complaints were filed by PWD alleging harassment; 26%, which exceeded the Governmentwide average of 18.05%.

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                      No

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

### 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                      No

**Response:** Of the 94 complaints, 20 alleged a failure to provide RA; 21%, which exceeded the Governmentwide average of 12.50%.

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

Yes                      No

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

## Section VIII: Identification and Removal of Barriers

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

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

Yes                      No

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

Yes                      No

0. 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:** HUD's non-compliance in establishing and maintaining an effective **Reasonable Accommodation Program** that complies with the governing laws and principles that require Federal agencies to establish procedures to facilitate the provisions of reasonable accommodations.

Further, HUD received a notice of deficiency in this area from EEOC in a technical assistance letter dated July 6, 2017.

**Barrier(s):** HUD has not trained employees and managers on their responsibilities under the Department's reasonable accommodation process and procedures. In addition, HUD lacked a web-based tracking system that manages the reasonable accommodation process.

**Objective(s):** Finalize HUD's Reasonable Accommodation Policies and Procedures, incorporating feedback from EEOC and formalizing communications outlining responsibilities.

Comply with the EEOC's updated regulations concerning implementation of Section 501 of the Rehabilitation Act of 1973.

Train employees and supervisor on the reasonable accommodation process and disseminate such procedures during new employee orientations and periodic employee and supervisor training sessions and make reasonable accommodation procedures available via HUD's HUD@Work (intranet website) and [www.hud.gov](http://www.hud.gov) (external website).

**Responsible Official(s):**

Chief Human Capital Officer, Office of the Assistant Secretary for Administration (OASA); Director, Office of Departmental Equal Employment Opportunity (ODEEO); and the Office of General Counsel (OGC)

**Performance Standards Address the Plan? (Yes or No): Yes**

**Target Date (mm/dd/yyyy): September 30, 2019**

**Planned Activities:**

Collaborate with HUD’s Diversity Council and Advocates for HUD Employees with Disabilities (AHED), to assist departmental efforts to promote an inclusive work environment.	September 30, 2019 (Ongoing)
Publish a more comprehensive reasonable process that provides increased transparency in the process and clearly articulates roles and responsibilities.	September 30, 2019
Assess all reasonable accommodation requests to determine what trends, commonalities, and/or barriers exist for immediate process improvements.	September 30, 2019

**Sufficient Staffing & Funding? (Yes or No): Yes**

**Modified Date (mm/dd/yyyy): 09/30/2018**

**Completion Date (mm/dd/yyyy): TBD**

**Fiscal Year: 2018**

**Accomplishments:**

- HUD drafted new Reasonable Accommodation Program policies and procedures, per EEOC feedback, that are in the HUD concurrence process and will be submitted to the EEOC for final approval.
- HUD’s AHED ERG reestablished their charter and created an interim steering committee to address concerns and share information with the HUD workforce and the HUD disability community. In addition,

AHED redesigned their internal website and ListServ to be easier to navigate and welcome new members to the community.

- HUD invited Anne Hirsh, Co-Director, JAN, to present an overview of the reasonable accommodations process, educating managers and employees on the successful means of communicating accommodation needs and services. HUD continues to promote the use of the JAN as a resource in providing expert advice and consultation on reasonable accommodation matters for HUD employees and applicants.
- Submitted a response to EEOC's July 6, 2017, technical assistant letter regarding HUD's reasonable accommodation policies and procedures.
- HUD implemented the Reasonable Accommodation Portal to monitor, track, facilitate, and report on reasonable accommodation case management. HUD's Reasonable Accommodation Portal is an automated recordkeeping system that securely stores information on reasonable accommodation requests, supporting documentation, dispositions, decisions, appeals, and implementation. The portal also facilitates reasonable accommodation requests and requests for modifications to provide information to improve timely and appropriate responses.

**Trigger 2:** HUD's FY 2018 participation rate of persons with targeted disabilities (PWTD) was 2.77% (207) of the total permanent workforce (7,373), exceeding the Federal Governmentwide goal of 2% of the Department's workforce.

In addition, HUD's representation of persons with disabilities (PWD) was 10.15% (759).

**Barrier(s):** There appears to be a lack of awareness on the part of hiring managers of the special hiring authorities that could be used to noncompetitively hire individuals with targeted disabilities and of established organizations whose mission is to assist Federal agencies in finding qualified candidates with disabilities.

**Objective(s):** Continue to improve recruitment, outreach, and retention efforts of PWDs and PWTDs.

**Responsible Official(s):**

Chief Human Capital Officer, Office of the Assistant Secretary for Administration (OASA); Director, Office of Departmental Equal Employment Opportunity (ODEEO); and the Office of General Counsel (OGC)

**Performance Standards Address the Plan? (Yes or No):** Yes

**Target Date (mm/dd/yyyy):** 09/30/2019

**Planned Activities:**

Establish HUD's 5-year goals/plans to increase the participation rates of PWD and PWTD to reach the Governmentwide goal.	September 30,2019
Provide training to managers/supervisors on Schedule A Hiring Authorities.	September 30, 2019
Promote participation in HUD-wide related activities aimed at increasing the participation of PWD and PWTD.	September 30, 2019
Utilize OPM's contract vendor and other resources to recruit and hire qualified PWD and PWTD.	September 30, 2019
Resurvey the HUD workforce every 2 years to update the disability (as well as race, ethnicity, gender, and veteran) codes in workforce statistical information. This survey will be a voluntary self-identification process and will result in the creation of affirmative and diversity and inclusion plans to address and eliminate potential barriers to recruitment/outreach, hiring, professional development, promotion, and retention of PWD.	September 30, 2019

**Sufficient Staffing & Funding?** (Yes or No): **Yes****Modified Date** (mm/dd/yyyy): 10/01/16**Completion Date** (mm/dd/yyyy): **Ongoing****Fiscal Year:** 2018**Accomplishments:**

- HUD continues to encourage all employees to update their disability status to enhance the accuracy of the Department's workforce data.
- HUD offers a variety of training programs and courses to HUD supervisors and employees regarding disability laws and requirements. Additionally, in FY 2018, Treasury Executive Institute (TEI) provides a forum for HUD's supervisors and senior leaders to discuss best practices in addressing Governmentwide initiatives, such as increasing the participation rates of PWDs.
- HUD's Advocates for HUD Employees with Disabilities (AHED) ERG, reestablished their charter and created an interim steering committee to collectively address concerns and share information with the HUD workforce and disability community. In addition, AHED redesigned their internal website to increase accessibility and ListServ to effectively welcome new members.
- HUD continues to provide easy access in requesting assistive technology through its Assistive Technology Program for accommodating HUD employees who have visual, hearing, mobility, cognitive, or other impairments.

- HUD also established an interpreter services program to provide sign language/oral interpreting services to HUD employees who are deaf or hard of hearing.
- HUD reestablished roles, responsibilities, and clearinghouses to provide access to electronic and information technology by PWD. In addition, HUD consulted with the U.S. Access Board to focus on how HUD's facilities can be made more accessible to PWDs.
- In promoting the use of the Job Accommodation Network (JAN) and in celebration of HUD's National Disability Employment Awareness Month Program, HUD invited Anne Hirsh, Co-Director, JAN, to present an overview of the reasonable accommodations process. HUD also promotes the use of the JAN as a resource in providing expert advice and consultation on reasonable accommodation matters for HUD employees and job applicants for employment.

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

**Response:** HUD's disability program responsibilities are currently split between the Office of Departmental Equal Employment Opportunity (ODEEO) and the Office of the Assistant Secretary for Administration (OASA). Presently, this structure creates challenges with respect to completing activities and ensuring accountability for a successful disability program. In addition, several personnel changes occurred within the disability program over the past year that impacted timely completion of planned activities. However, ODEEO and OASA leadership are committed to a collaborative approach that will allow the timely completion of the planned activities. In addition, the continuity of new permanent disability program staff will enable HUD to better achieve our goals for PWDs and PWTDs.

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

**Response:** The actual impacts of the completion of planned activities, including training and the implementation of the HUD Reasonable Accommodation Portal, are wide ranging and allow HUD to become an employer of choice for PWDs and PWTDs. In FY 2018, HUD exceeded the Federal Governmentwide participation goal for PWTd (2.77%) and HUD's attrition rates demonstrate that HUD is generally retaining PWTDs. At least two members of the HUD Senior Executive Service cadre identify as PWTd. HUD also has a robust and easily accessible Assistive Technology Program and makes efforts to reach out to the disability community through a newly reestablished ERG. Finally, the implementation of the Reasonable Accommodation Portal allows HUD employees to more easily request reasonable accommodations and understand the status of their request, in addition to allowing HUD to enhance timeliness and accuracy of reasonable accommodation decisions.