

**EEOC FORM**

**U.S. Equal Employment Opportunity Commission**

**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

**MD-715 FY 2022  
Parts A Through E**

**Part A - Department or Agency Identifying Information**

Agency	Second Level Component	Address	City	State	Zip Code (xxxxx)	Agency Code (xxxx)	FIPS Code (xxxx)
USDA	Food and Nutrition Service	1320 Braddock Place	Alexandria	VA	22314	AG30	4986

**Part B - Total Employment**

Total Employment	Permanent workforce	Temporary Workforce	Total workforce
<b>Number of Employees</b>	1589	21	1610

**Part C.1 - Head of Agency and Head of Agency Designee**

Agency Leadership	Name	Title
Head of Agency	Thomas Vilsack	Secretary of Agriculture
Head of Agency Designee	Cindy Long	Administrator

**Part C.2 - Agency Official(s) Responsible for Oversight of EEO Program(s)**

EEO Program Staff	Name	Title	Occupational Series (xxxx)	Pay Plan and Grade (xx-xx)	Phone Number (xxx-xxx-xxxx)	Email Address
Principal EEO Director/Official	Roberto Contreras	Director, Civil Rights Division	0360	GS-15	703-305-2195	<a href="mailto:Roberto.contreras@usda.gov">Roberto.contreras@usda.gov</a>
Affirmative Employment Program Manager	Paul Neubelt	Branch Chief EEO/ADR Branch	0260	GS-14	703-305-2215	<a href="mailto:Paul.neubelt@usda.gov">Paul.neubelt@usda.gov</a>
Complaint Processing Program Manager	Paul Neubelt	Branch Chief EEO/ADR Branch	0260	GS-14	703-305-2215	<a href="mailto:Paul.neubelt@usda.gov">Paul.neubelt@usda.gov</a>
Diversity & Inclusion Officer	Frederick Cheng	Division and Inclusion Program Manager	0301	GS-13	703-305-1494	<a href="mailto:Frederick.cheng@usda.gov">Frederick.cheng@usda.gov</a>
Hispanic Program Manager (SEPM)	Aracelis Lopez	Lead Program Specialist	0301	GS-13	787-766-5586, ext. 2	<a href="mailto:Aracelis.lopez@usda.gov">Aracelis.lopez@usda.gov</a>

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Women's Program Manager (SEPM)	Jody Overturf	HR Specialist	0201	GS-13	214-290-9924	<a href="mailto:Jody.overturf@usda.gov">Jody.overturf@usda.gov</a>
<b>EEO Program Staff</b>	<b>Name</b>	<b>Title</b>	<b>Occupational Series (xxxx)</b>	<b>Pay Plan and Grade (xx-xx)</b>	<b>Phone Number (xxx-xxx-xxxx)</b>	<b>Email Address</b>
Disability Program Manager (SEPM)	Frederick Cheng	Division and Inclusion Program Manager	0301	GS-13	703-305-1494	<a href="mailto:Frederick.cheng@usda.gov">Frederick.cheng@usda.gov</a>
Special Placement Program Coordinator (Individuals with Disabilities)	Joanie Dilone	Agency Recruiter	0201	GS-13	703-305-0802	<a href="mailto:Joanie.dilone@usda.gov">Joanie.dilone@usda.gov</a>
Reasonable Accommodation Program Manager	Sheila Kopczynski	HR Specialist	0201	GS-13	208-202-2811	<a href="mailto:Sheila.kopczynski@usda.gov">Sheila.kopczynski@usda.gov</a>
Anti-Harassment Program Manager	Carlos Worthy	Chief Human Capital Officer		GS-15	609-455-9931	<a href="mailto:Carlos.worthy@usda.gov">Carlos.worthy@usda.gov</a>
ADR Program Manager	Paul Neubelt	Branch Chief, EEO/ADR Branch	0260	GS-14	703-305-2215	<a href="mailto:Paul.neubelt@usda.gov">Paul.neubelt@usda.gov</a>
Compliance Manager	Paul Neubelt	Branch Chief, EEO/ADR Branch	0260	GS-14	703-305-2215	<a href="mailto:Paul.neubelt@usda.gov">Paul.neubelt@usda.gov</a>
Principal MD-715 Preparer	Sheila McKie	EEO Specialist	0260	GS-13	703-457-6780	<a href="mailto:Sheila.mckie@usda.gov">Sheila.mckie@usda.gov</a>
Other EEO Staff	Jennifer O'Quinn	EEO Specialist	0260	GS-13	703-407-5869	Jennifer.O'Quinn@usda.gov
Other EEO Staff	Edna Gomez Velez	EO Specialist	0360	GS-09	703-305-2704	<a href="mailto:Edna.gomez-velez@usda.gov">Edna.gomez-velez@usda.gov</a>
Other EEO Staff	Keishla Acevedo-Nazario	EO Specialist	0360	GS-09	703-756-0229	<a href="mailto:Keishla.acevedo-nazario@usda.gov">Keishla.acevedo-nazario@usda.gov</a>

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**Part D.1 – List of subordinate Components Covered in this Report**

Please identify the subordinate components within the Agency (e.g., bureaus, regions, etc.).

If the Agency does not have any subordinate components, please check the box.

<b>Subordinate Component</b>	<b>City</b>	<b>State</b>	<b>Country (Optional)</b>	<b>Agency Code (xxxx)</b>	<b>FIPS Codes (xxxxx)</b>
USDA Food and Nutrition Service, National Office	Alexandria	VA	USA	AG30	—
USDA Food and Nutrition Service, Midwest Regional Office	Chicago	IL	USA	AG30	—
USDA Food Nutrition Service, Northeast Regional Office	Boston	MA	USA	AG30	—
USDA Food and Nutrition Service, Mid Atlantic Regional Office	Robbinsville	NJ	USA	AG30	—
USDA Food and Nutrition Service, Mountain Plains Regional Office	Denver	CO	USA	AG30	—
USDA Food and Nutrition Service, Southeast Regional Office	Atlanta	GA	USA	AG30	—
USDA Food and Nutrition Service, Western Regional Office	San Francisco	CA	USA	AG30	—
USDA Food and Nutrition Service, Southwest Regional Office	Dallas	TX	USA	AG30	—

**Part D.2 – Mandatory and Optional Documents for this Report**

In the table below, the Agency must submit these documents with its MD-715 report.

<b>Did the Agency submit the following mandatory documents?</b>	<b>Please respond Yes or No</b>	<b>Comments</b>
Organizational Chart	Yes	—
EEO Policy Statement	Yes	—
Strategic Plan	Yes	—
Anti-Harassment Policy and Procedures	Yes	—
Reasonable Accommodation Procedures	Yes	—
Personal Assistance Services Procedures	Yes	—
Alternative Dispute Resolution Procedures	Yes	—

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In the table below, the Agency may decide whether to submit these documents with its MD-715 report.

Did the Agency submit the following optional documents?	Please respond Yes or No	Comments
Federal Equal Opportunity Recruitment Program (FEORP) Report	No	—
Disabled Veterans Affirmative Action Program (DVAAP) Report	No	—
Operational Plan for Increasing Employment of Individuals with Disabilities under Executive Order 13548	No	—
Diversity and Inclusion Plan under Executive Order 13583	No	—
Diversity Policy Statement	No	—
Human Capital Strategic Plan	No	—
EEO Strategic Plan	No	—
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	No	—

### Part E – Executive Summary

All agencies must complete Part E.1; however, only agencies with 199 or fewer employees in permanent FT/PT appointments are required to complete Part E.2 to E.5. Agencies with 200 or more employees in permanent FT/PT appointments have the option to Part E.2 to E.5.

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

##### Food and Nutrition Service (FNS) Period Coving October 1, 2021 – September 30, 2022

Working with public, private, and non-profit partners, FNS' mission is to increase food and [nutrition security](#) and reduce hunger in a way that supports American agriculture and inspires public confidence.

The Civil Rights Division's (CRD) mission is to ensure compliance with applicable laws, regulations, and policies for the Food, Nutrition, and Consumers Services (FNCS) customers and employees regardless of race, color, national origin, sex (including sexual orientation, gender identity, and pregnancy), religion, age, disability, marital or family status, political beliefs, parental status, protected genetic information, or because all or part of an individual's income is derived from any public assistance program.\* The CRD also facilitates equal and timely access to FNS programs and services for all customers. *(\*Not all bases apply to all programs.)*

The Equal Employment Opportunity (EEO)/Alternative Dispute Resolution (ADR) Branch of the CRD is the designated office responsible for implementing the Agency's overall continuing affirmative employment program, which promotes equal employment opportunity and identifies and eliminates discriminatory practices and policies. The EEO/ADR Branch fosters workplace equity and equality by ensuring FNS follows EEO principles throughout the Agency and is committed to furthering the Agency's efforts to fulfill its obligations to operate a model EEO program.

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

##### A. Demonstrated Commitment from Agency Leadership:

FNS' leadership continues to support EEO. In FY 2022, FNS leadership adopted the USDA policy on Civil Rights and EEO, Anti-Harassment, and Reasonable Accommodations. The Civil Rights policy statement was reissued on June 8, 2022, by the USDA Secretary. Those policies can be found on the FNS Intranet and public websites.

##### B. Integration of EEO into the Agency's Strategic Mission:

FNS' Civil Rights Director (Director) continues to report directly to the Administrator and attends leadership meetings to ensure that EEO is a strategic part of the Agency's mission and priorities. The Director is responsible for all aspects of the EEO program, from personnel and budget, workforce changes, training, and EEO reporting. FNS monitors and implements EEO strategies in the Agency Priorities Plan (APP). The Director is a regular participant in senior staff meetings and is regularly consulted on human resources issues.

Over the last year, managers have been trained in the art of being a resolving official in the EEO complaint process, and also received anti-harassment and retaliation training.

##### C. Management and Program Accountability:

During the fall of 2021, FNS conducted an EDIE (Equity, Diversity, Inclusion, Engagement, and Accessibility) Environmental Scan to assess the current state and progress towards EDIE in the Agency's practices and workforce composition, as well as identify barriers to implementing EDIE principles and practices at FNS. Interviews were conducted with senior leaders and 10 focus groups were held with supervisors and employees. Also, an analysis was done of the Federal Employee Viewpoint Survey, EEO reports, and workforce data from FY 2017-2020.

In FY 2022, the Human Resources Division (HRD) released articles in the FNS Weekly Bulletin (published on June 22, 2022) to encourage staff to self-identify and/or update their race, gender, ethnicity, and disability using the Employee Personal Page. The articles made mention of the MD-715 and explained the importance of this information in helping to address areas and barriers to employment opportunities.

As a part of Operation 1800, FNS' strategic hiring initiative to increase staffing levels, FNS incorporated an Intentional Talent Acquisition Process (ITA Process) which was informed by MD-715 data, the workforce analysis as of Q1, FY 2022, and the outcomes of past talent acquisition effort to implement a more focused and efficient talent effort.

Reasonable accommodations procedures are in place and training has been provided to regional staff and supervisors by the reasonable accommodation coordinator.

##### D. Proactive Prevention of Unlawful Discrimination

FNS EEO/ADR Branch of Civil Rights conducted three regional compliance reviews and issued reports with recommendations and suggestions.

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##### E. Efficiency

FNS CRD continues to evaluate its EEO process. In FY 2022, all staff in the EEO/ADR Branch were trained in the mediation process and received certifications as mediators. Future plans are to begin to conduct in-house mediations.

The Equity and MD-715 Dashboard was created during the summer of FY 2022. It collects information on the race, national origin, sex, and disability of Agency employees. It can provide views of demographics of employees, where there may be under and over representation. Currently, access is only provided to senior leadership, HRD, CRD EEO staff to ensure the privacy of staff is protected. The Equity and MD-715 Dashboard, an evolving tool, will help a division or region identify trends and gaps in each component, grades, mission critical occupations, etc., in real time. It also can help the Agency design focused outreach plans to increase staffing in the different under-represented groups.

##### F. Responsiveness and Legal Compliance

FNS continues to comply with the law, EEOC regulations, orders, and other written instructions. FNS CRD ensures that management fully and timely complies with settlement agreements and final orders.

### Part E.3 - Executive Summary: Workforce Analyses

USDA established baselines using either the Total workforce or the Permanent workforce. FNS measures disparate impact using a 10% variance in relation to the participation rate in the Civilian Labor Force (CLF) to determine disproportionate impact. For this section, the CLF/Participation Rate will be used.

#### **Total Workforce**

For the Total workforce, the impact rate for American Indian or Alaska Native Males (0.30%/0.31%) was proportionate with their respective participation rate in the Total workforce.

The impact rate for Males (51.80%/32.24%), Hispanic/Latino Males (6.80%/3.04%), Hispanic/Latino Females (6.20%/4.97%), White Males (35.60%/18.51%), Native Hawaiian or Pacific Islander Males (0.10%/0.00%), Two or More Races Males (1.00%/0.19%) and Two or More Races Females (1.00%/0.62%) was disproportionately lower than the participation rate for these same groups in the Total workforce.

The impact rate for Females (48.20%/67.76%), White Females (31.80%/36.46%), Black or African American Males (5.70%/7.52%), Black or African American Females (6.60%/20.81%), Asian Males (2.20%/2.67%), Asian Females (2.20%/4.35%), Native Hawaiian or Pacific Islander Females (0.10%/0.12%), American Indian or Alaska Native Females (0.30%/0.43%), Persons with Disabilities (12.00%/15.71%) and Persons with Targeted Disabilities (2.00%/4.35%) was disproportionately higher compared to the participation rate of these same groups in the Total workforce.

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##### **New Hires**

For New Hires in the Total workforce, the impact rate for Females and Black or African American Females was proportionate with their respective participation rate.

The impact rate for Males (51.80%/29.15%), Hispanic/Latino Males (6.80%/2.26%), Hispanic/Latino Females (6.20%/3.02%), White Males (35.60%/13.07%), Native Hawaiian Males (0.10%/0.00%), Two or More Males (1.00%/0.25%), and Two or More Females (1.00%/0.75%) was disproportionately lower than the participation rate for these same groups in the Total workforce.

The impact rate for Females (48.20%/70.85%), Black or African American Males (5.70%/9.05%), Black or African American Females (6.60%/19.60%), Asian Males (2.20%/3.27%), Asian Females (2.20%/5.03%), Native Hawaiian or Pacific Islander Females (0.10%/0.25%), American Indian or Alaska Native Males (0.30%/1.26%), American Indian or Alaska Native Females (0.30%/0.75%), Persons with Disabilities (12.00%/22.61%) and Persons with Targeted Disabilities (2.00%/5.53%) was disproportionately higher compared to the participation rate of these same groups in the Total workforce.

For New Hires in the Permanent workforce, the impact rate for Males (51.80%/28.57%), Hispanic/Latino Males (6.80%/2.38%), Hispanic/Latino Females (6.20%/3.17%), White Males (35.60%/12.70%), Native Hawaiian or Pacific Islander Males (0.10%/0.00%), Two or More Races Males (1.00%/0.26%) and Two or More Races Females (1.00%/0.79%) was disproportionately lower than the participation rate for these same groups in the Permanent workforce.

The impact rate for Females (48.20%/71.43%), White Females (31.80%/41.40%), Black or African American Males (5.70%/8.73%), Black or African American Females (6.60%/19.31%), Asian Males 2.20%/3.17%), Asian Females (2.20%/5.29%), Native Hawaiian or Pacific Islander Females (0.10%/0.26%), American Indian or Alaska Native Males (0.30%/1.32%), American Indian or Alaska Native Females (0.30%/0.79%), Persons with Disabilities (12.00%/22.75%) and Persons with Targeted Disabilities (2.00%/5.56%) was disproportionately higher than the participation rate for these same groups in the Permanent workforce.

##### **Separations**

For Total Separations in the Total workforce, the impact rate for White Females (31.80%/33.98%) was proportionate with their respective participation rate in the Total workforce.

The impact rate Males (51.80%/33.98%), Hispanic/Latino Males (6.80%/0.97%); Hispanic/Latino Females (6.20%/0.97%), White Males (35.60%/18.45%), Native Hawaiian or Pacific Islander Males (0.10%/0.00%), Native Hawaiian or Pacific Islander Females (0.10%/0.00%), American Indian or Alaska Native Males (0.30%/0.00%), Two or More Races Males (1.00%/0.00%) and Two or More Races Females (1.00%/0.00%) was disproportionately lower than the participation rate for these same groups in the Total workforce.

The impact rate for Females (48.20%/66.02%), Black or African American Males (5.70%/11.65%), Black or African American Females (6.60%/27.18%), Asian Males (2.20%/2.91%), Asian Females (2.20%/2.91%), American Indian or Alaska Native Females (0.30%/0.97%),

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Persons with Disabilities (12.00%/21.36%) and Persons with Targeted Disabilities (2.00%/7.77%) was disproportionately higher compared to the participation rate of these same groups in the Total workforce.

For Total Separations in the Permanent workforce, the impact rate Males (32.16%/34.31%), Females (67.84%/65.69%), and White Males (18.57%/18.63%) and White Females (36.38%/34.31%) was proportionate with their respective participation rate in the Permanent workforce.

The impact rate for Hispanic/Latino Males (3.02%/0.98%), Hispanic/Latino Females (5.03%/0.98%), Asian Females (4.41%/2.94%), Native Hawaiian or Pacific Islander Females (0.13%/0.00%), American Indian or Alaska Native Males (0.31%/0.00%), Two or More Races Males (0.19%/0.00%) and Two or More Races Females (0.63%/0.00%) was disproportionately lower than the participation rate for these same groups in the Permanent workforce.

The impact rate for Black or African American Males (7.43%/11.76%), Black or African American Females (20.83%/26.47%), Asian Males (2.64%/2.94%), American Indian or Alaska Native Females (0.44%/0.98%), Persons with Disabilities (12.00%/22.75%) and Persons with Targeted Disabilities (2.00%/5.56%) was disproportionately high compared to the participation rate of these same groups in the Permanent workforce.

#### **Triggers Identified for Persons with Disabilities and Targeted Disabilities by Grade Clusters**

For Persons with Disabilities (PWDs) and Persons with Targeted Disabilities (PWTDs), the sum by totals in the clusters, GS 1-10 and GS 11-SES for PWDs and PWTDs don't have a trigger. But, by grade, out of the 6 employees in GS-15, 0% reported Targeted Disabilities, lower than the goal of 2%. In this case the sample is small (6 total). Out of the 17 employees in SES level, 5.88% (1) had a reported Disability, lower than the 12% goal. Also in the category Other Senior Pay position, 7.87% had a disability, lower than the 12% goal.

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

- A. Per the implementation guidance for Executive Order (EO) 14035 – Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, the position of Chief Diversity Officer was created and filled within CRD. The DEIA Chief Diversity Officer has assisted in developing and implementing the Department's DEIA strategy by identifying advantages and barriers to opportunity and resources that may contribute to systematic discriminatory treatment.
- B. FNS provided all supervisors with a Hiring/Talent Acquisition Toolkit which provided detailed information on multiple competitive and non-competitive hiring flexibilities in Q2 FY 2022. The Toolkit was incorporated into the strategic recruitment conversations within the ITA Process. It was enhanced through the provision of a mandatory three-day "Supervisors Summit" which included a hiring certification for all supervisors within the Agency. The "Supervisors Summit" and certification will be incorporated as bi-annual and annual requirements going forward for all supervisors. The Toolkit will also be reviewed and updated on an annual basis and made available to all supervisors appointed within FNS.



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- C. The Equity and MD-715 Dashboard was created during the summer of FY 2022. It collects information on the race, national origin, sex, and disability of Agency employees. It can provide views of demographics of employees, where there may be under and over representation.
- D. The FNS CRD released the Gender Inclusive Communications Toolkit. It is a resource guide for incorporating gender-inclusive language in communication with the customers, stakeholders, and with each other. The use of inclusive language symbolizes FNS' commitment to the values of equity and equal opportunity for employees and those we serve. The *Gender Inclusive Communication Toolkit* was issued to assist employees as they update current communications such as rules, regulations and program guidance in a manner that is gender inclusive. This Toolkit also builds upon an organizational culture of respect and belonging for lesbian, gay, bisexual, transgender, queer or questioning, or other diverse gender identities represented by "plus," including Two-Spirit (LGBTQ+). Within FNS, this helps to strengthen and improve the rights of those in the LGBTQ+ community and is for anyone who in some way challenges the traditional model of gender identity and expression.
- E. Due to the Agency's continued commitment to improvement, FNS conducted a comprehensive review of its initial Exit Survey created in February 2021 which resulted in meaningful adjustments and the establishment of FNS Exit Survey Dashboard in May 2022. The Dashboard provides Senior Management Officials real-time survey responses/results for all departing employees. The Dashboard includes four different viewpoints of the response which further provide insight into how respondents answered survey questions. Senior management officials have the ability to filter dashboard views across factors like ethnic and racial identity, age, tenure, and grade level, as well as comparing responses across the FNS Population.
- F. Vacancy announcements were shared with various state agencies who implement and deliver FNS programs as well as through employee driven veteran networks which include local disabled veteran networks within our regional geographic footprint and Department of Veteran Affairs (VA) Vocational Rehabilitation offices.
- G. The EEO/ADR Branch of the CRD hosted 16 EEO trainings, surpassing the Departmental goal of one annual training. This year the EEO/ADR Branch collaborated with the Department of Veterans Affairs, the Secret Service, Office of the Chief Information Officer, Natural Resources Conservation Service, National Agricultural Statistics Service, Animal and Plant Health Inspection Service, and several other organizations to provide a series of Equity training to all staff. The EEO/ADR Branch was invited to provide MD-715 training to two FNS regions and two FNS groups.

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

- A. HRD will conduct the Supervisors Summit and certification will be incorporated as bi-annual and annual requirements for all supervisors. The Hiring/Talent Acquisition Toolkit issued in FY 2022 to supervisors will be reviewed and updated on an annual basis and made available to all supervisors appointed within FNS.
- B. As it relates to training, the EEO/ADR Branch of Civil Rights plans to conduct 13 trainings in FY 2023. Topics such as "Words Matter", "Unconscious Bias", "Retaliation", and "Dividends

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on Diversity and Neurodivergence” will be presented, along with a few trusted titles, Harassment, Workplace Violence, and Hostile Environment Claims and Reasonable Accommodations and Preventing Disability Discrimination in Employment.

- C. The Diversity, Equity, Inclusion, and Accessibility Program plans to roll out its new and improved Special Emphasis Program. The Diversity, Equity, Inclusion, and Accessibility Program plans to roll out its new and improved Special Emphasis Program. The program will be organized in accordance with the intent of 29 C.F.R. § 1614.102(b)(4) and will support the implementation of the FNS DEIA priorities. Special Emphasis Program Managers will plan and coordinate outreach, educational, and special observance activities and be liaisons and advisors to FNS leadership on DEIA and unique concerns of the different employment groups. Workgroups were created that began to identify roles and responsibilities. Already several Break to Educate sessions have been planned with the first one taking place on December 19, 2022.

CERTIFICATION of ESTABLISHMENT of CONTINUING EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

I, Roberto Contreras, Director, Civil Rights Division, GS-0360-15 am the

(Insert name above)

(Insert official title/series/grade above)

Principal EEO Director/Official for

Food and Nutrition Service

(Insert Agency/Component Name above)

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

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

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

ROBERTO CONTRERAS

Digitally signed by ROBERTO CONTRERAS Date: 2023.03.16 13:34:00 -04'00'

Signature of Principal EEO Director/Official

Date

Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.

TAMEKA OWENS

Digitally signed by TAMEKA OWENS Date: 2023.03.20 20:09:42 -04'00'

Signature of Agency Head or Agency Head Designee

Date

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#### **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.

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**MD-715 - PART G**  
**Agency Self-Assessment Checklist**

**Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP**  
**This element requires the Agency head to communicate a commitment to equal employment opportunity and a discrimination-free workplace.**

 <b>Compliance Indicator</b>  <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>Current Part G Questions</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 comment’s column. [see MD-715, II(A)]	N/A	FNS adopted the USDA CR/EEO Policy Statement dated April 9, 2021. Food and Nutrition Service (FNS) did not issue a separate policy from USDA. USDA’s policy statement was issued April 18, 2021.	A.1.a.2
<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	FNS adopted the USDA CR/EEO Policy Statement dated April 9, 2021. Food and Nutrition Service (FNS) did not issue a separate policy from USDA. USDA’s policy statement was issued April 18, 2021.	New



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 <b>Compliance Indicator</b>  <b>Measures</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	—	New
<b>A.2.a.2</b>	Reasonable accommodation procedures? [see 29 C.F.R § 1614.203(d)(3)]	Yes	—	New
<b>A.2.b</b>	Does the Agency prominently post the following information throughout the workplace and on its public website:		—	
<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	—	New
<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	—	A.2.c
<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="#">Reasonable Accommodation   USDA</a>	A.3.c
<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	Annually	A.2.a
<b>A.2.c.2</b>	ADR process? [see MD-110, Ch. 3(II)(C)] If “yes”, please provide how often.	Yes	Annually	New
<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	Annually	New
<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	Annually	New
<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	Annually	A.3.b

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 <b>Compliance Indicator</b>	 <b>Measures</b>	<b>Measure Met? (Yes/No/NA)</b>	<b>Comments New Compliance Indicator</b>	—
<b>A.3.a</b>	Does the Agency assess and ensure EEO principles are part of its culture. [see 29 CFR § 1614.102(a)(9)] If “yes”, provide one or two examples in the comments section.	Yes	Each employee’s Performance Work Plan includes an EEO and Diversity and Inclusion Element. Employees receive awards in recognition of outstanding efforts throughout any given year as a part of their Performance Work Plan which include EEO and Diversity and Inclusion.	New
<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	—	New



**Essential Element B: INTEGRATION OF EEO INTO THE AGENCY’S STRATEGIC MISSION**  
**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>Compliance Indicator</b>	 <b>Measures</b>	<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b>	—
<b>B.1.a</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.	Yes	—	B.1.a
<b>B.1.a.1</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)]	N/A	The EEO Director reports to the Administrator.	New

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**Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION**  
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>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b>	
<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	—	B.1.d
<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.2.a
<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	May 13, 2022 July 6, 2022	B.2.b
<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	—	New





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 <b>Compliance Indicator</b>  <b>Measures</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.3.a
<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	—	New
<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	—	New
<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.]	N/A	The Office of the Assistant Secretary for Civil Rights (OASCR) is responsible for Issuance of final Agency decisions. This is not an FNS function, however, there is collaboration with OASCR regarding the decisions.	New
<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	—	F.3.b
<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	—	New
<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	—	—

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 <b>Compliance Indicator</b>  <b>Measures</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.2.c & B.2.d
<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	Agency Priority 7: Enhance FNS Capacity to Advance Our Mission and Support All Employees in Reaching Their Full Potential.	New

 <b>Compliance Indicator</b>  <b>Measures</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.3.b
<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.4.a
<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)]	Yes	—	E.5.b



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 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b>	—
<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	—	B.4.f & B.4.g
<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)]	Yes	—	E.1.c
<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.4.c
<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	—	New
<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.3.c, B.3.c.1, B.3.c.2, & B.3.c.3
<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	—	New

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 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b>	—
<b>B.4 - The Agency has sufficient budget and staffing to support the success of its EEO program.</b>				
<b>B.4.a.10</b>	to effectively manage its reasonable accommodation program? [see 29 CFR § 1614.203(d)(4)(ii)]	Yes	—	B.4.d
<b>B.4.a.11</b>	to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	Yes	—	New
<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	—	New
<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.1.b
<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	—	E.2.d
<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	—	E.2.e

 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b> <b>New Indicator</b>	—
<b>B.5 - The Agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.</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:		—	—
<b>B.5.a.1</b>	EEO Complaint Process? [see MD-715(II)(B)]	Yes	—	New

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 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments New Indicator</b>	—
	<b>B.5 – The Agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.</b>			
<b>B.5.a.2</b>	Reasonable Accommodation Procedures? [see 29 C.F.R. § 1614.102(d)(3)]	Yes	—	A.3.d
<b>B.5.a.3</b>	Anti-Harassment Policy? [see MD-715(II)(B)]	Yes	—	New
<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	—	New
<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	—	E.4.b



 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments New Indicator</b>	—
	<b>B.6 – The Agency involves managers in the implementation of its EEO program.</b>			
<b>B.6.a</b>	Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	Yes	—	New
<b>B.6.b</b>	Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	Yes	—	D.1.a
<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	—	D.1.b
<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	—	D.1.c



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**Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY**



**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>Compliance Indicator</b>  <b>Measures</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", please provide the schedule for conducting audits in the comments section.	Yes	SERO 04/21/2022 MPRO 05/10/2022 ROC 06/08/2022	New
<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	SERO 04/21/2022 MPRO 05/10/2022 ROC 06/08/2022	New
<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	—	New

 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments 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	—	New
<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	—	New
<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	—	New



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 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments  New Indicator</b>	—
	<b>C.2 – The Agency has established procedures to prevent all forms of EEO discrimination.</b>			
<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	—	New
<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	—	New
<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. Dept of Veterans Affairs</u> , EEOC Appeal No. 0120123232 (May 21, 2015); <u>Complainant v. Dept of Defense (Defense Commissary Agency)</u> , EEOC Appeal No. 0120130331 (May 29, 2015)] If “no”, please provide the percentage of timely-processed inquiries in the comments column.	Yes	—	New
<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	—	New
<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	—	New
<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	—	E.1.d
<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	—	New
<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	—	New
<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	—	New

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 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments  New Indicator</b>	—
	<b>C.2 – The Agency has established procedures to prevent all forms of EEO discrimination.</b>			
<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		E.1.e
<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		New
<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="#">Reasonable Accommodation   USDA</a>	New

 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments  New Indicator</b>	—
	<b>C.3 - The Agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.</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	—	New
<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	—	A.3.a.1
<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	—	A.3.a.4





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 <b>Compliance Indicator</b>  <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 New Indicator</b>	—
<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	—	A.3.a.5
<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	—	A.3.a.6
<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	—	A.3.a.7
<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	—	A.3.a.8
<b>C.3.b.7</b>	Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]	Yes	—	New
<b>C.3.b.8</b>	Support the anti-harassment program in investigating and correcting harassing conduct. [see Enforcement Guidance, V.C.2]	Yes	—	A.3.a.2
<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	—	New
<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	—	New
<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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 <b>Compliance Indicator</b>  <b>Measures</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	—	New
<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	—	C.2.a, C.2.b, & C.2.c
<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	—	New
<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	—	New
<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	—	New
<b>C.4.e.2</b>	Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	Yes	—	New
<b>C.4.e.3</b>	Develop and/or provide training for managers and employees? [see MD-715, II(C)]	Yes	—	New

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 <b>Compliance Indicator</b>  <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.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	—	New

 <b>Compliance Indicator</b>  <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>	—
<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	—	C.3.a.
<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	Because there were no findings during the fiscal year, zero managers and/or employees have been disciplined for this period.	C.3.c
<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	—	New



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 <b>Compliance Indicator</b>  <b>Measures</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	EEO updates are provided monthly.	C.1.a
<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	—	New



**Essential Element D: PROACTIVE PREVENTION**

**This element requires that the Agency head make early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity.**

 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (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	—	New
<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	—	New
<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	—	New





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 <b>Compliance Indicator</b>  <b>Measures</b>	<b>D.2 – The Agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)</b>	<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b>  <b>New Indicator</b>	<p style="text-align: center;">—</p>
<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	<p style="text-align: center;">—</p>	New
<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	<p style="text-align: center;">—</p>	B.2.c.2
<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	<p style="text-align: center;">—</p>	B.2.c.1
<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	Exit surveys, FEVS, complaints/grievance data.	New

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 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments  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	—	New
<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)]	No	See H-1	New
 <b>Compliance Indicator</b>  <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  New Indicator</b>	
<b>D.3.c</b>	Does the Agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	No	See H-2	New





 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments  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	—	New
<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	—	New
<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	—	New
<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	—	New

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**Essential Element E: EFFICIENCY**



**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>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b>	—
<b>E.1.a</b>	Does the Agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	Yes	—	E.3.a.1
 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/NA)</b>	<b>Comments</b>	
<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	—	E.3.a.2
<b>E.1.c</b>	Does the Agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(l)?	N/A	This is an Office of the Assistant Secretary for Civil Rights (OASCR) function. This is not an FNS function.	New
<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(l)? If so, please provide the average processing time in the comments.	N/A	This is an OASCR function. This is not an FNS function.	New
<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	—	New
<b>E.1.f</b>	Does the Agency timely complete investigations, pursuant to 29 CFR §1614.108?	N/A	This is an OASCR function. This is not an FNS function, however, FNS collaborates with OASCR to ensure that investigations are done timely. In FY 2022, all investigations were completed on time.	E.3.a.3

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 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/ NA)</b>	<b>Comments</b>	—
	<b>E.1 - The Agency maintains an efficient, fair, and impartial complaint resolution process.</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	This is an OASCR function. This is not an FNS function, however, FNS collaborates with OASCR to ensure that investigations are done timely. In FY 2022, all investigations were completed on time.	—
<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)?	N/A	This is an OASCR function. This is not an FNS function.	E.3.a.4

 <b>Compliance Indicator</b>  <b>Measures</b>		<b>Measure Met? (Yes/No/ NA)</b>	<b>Comments</b>	—
	<b>E.1 - The Agency maintains an efficient, fair, and impartial complaint resolution process.</b>			—
<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)?	N/A	This is an OASCR function. This is not an FNS function.	E.3.a.7
<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.	N/A	This is an OASCR function. This is not an FNS function.	E.2.c
<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	—	New
<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	—	New





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 <b>Compliance Indicator</b>  <b>Measures</b>	<b>E.2 – The Agency has a neutral EEO process.</b>	<b>Measure Met? (Yes/No/NA)</b>	<b>Comments 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)]	Yes	The defense structure is a function of the USDA Office of the General Counsel.	New
<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.	N/A	This is an OASCR function. This is not an FNS function.	E.6.a
<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	This is an OASCR function. This is not an FNS function.	New
 <b>Compliance Indicator</b>  <b>Measures</b>	<b>E.2 – The Agency has a neutral EEO process.</b>	<b>Measure Met? (Yes/No/NA)</b>	<b>Comments Revised Indicator</b>	—
<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)]	N/A	This is an OASCR function. This is not an FNS function.	E.6.b
<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)]	N/A	This is an OASCR function. This is not an FNS function.	E.6.c



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 <b>Compliance Indicator</b>  <b>Measures</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	—	E.4.a
<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	—	E.4.c
<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	—	D.2.a
<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	—	New
<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	—	E.4.d
<b>E.3.f</b>	Does the Agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	Yes	—	New





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 <b>Compliance Indicator</b>  <b>Measures</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	—	E.5.a
<b>E.4.a.2</b>	The race, national origin, sex, and disability status of Agency employees? [see 29 CFR §1614.601(a)]	Yes	—	E.5.c
<b>E.4.a.3</b>	Recruitment activities? [see MD-715, II(E)]	Yes	—	E.5.f
<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	—	New
<b>E.4.a.5</b>	The processing of requests for reasonable accommodation? [29 CFR § 1614.203(d)(4)]	Yes	—	New
<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	—	New
<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	—	New

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 <b>Compliance Indicator</b>  <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	On a monthly basis, the EEO office develops a report capturing the status of all complaints. This includes a report tracking all bases which allows us to view trends.	E.5.e
 <b>Compliance Indicator</b>  <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.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	In FY 2022, FNS reached out to other agencies for reporting mechanisms for hiring managers.	E.5.g
<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		E.3.a

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**Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE**  
This element requires federal agencies to comply with EEO statutes and EEOC regulations, policy guidance, and other written instructions.

 <b>Compliance Indicator</b>  <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	—	F.1.a
<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	—	E.3.a.6
<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	—	F.2.a.1
<b>F.1.d</b>	Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	Yes	—	F.2.a.2
<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	—	F.3.a.

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 <b>Compliance Indicator</b>  <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>  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	—	C.3.d
<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	—	E.3.a.5
<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	—	E.3.a.7
<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)]	<b>Yes</b>	—	New
<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?	<b>Yes</b>	—	F.3.d (1 to 9)

 <b>Compliance Indicator</b>  <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)]	N/A	This is a function of OASCR.	New
<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)]	N/A	This is a function of OASCR.	New

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**MD-715 – Part H-1**

**Agency EEO Plan to Attain the Essential Elements of a Model EEO Program**

Please describe the status of each plan that the Agency has implemented to correct deficiencies in the EEO program.

If the Agency did not address any deficiencies during the reporting period, please check the box.

**Statement of Model Program Essential Element Deficiency**

Type of Program Deficiency	Brief Description of Program Deficiency
D.3. b.	If the Agency identified one or more barriers during the reporting period, did the Agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)] The Agency did not identify barriers during the reporting period and therefore did not implement a plan in Part I.

**Objective(s) and Dates for EEO Plan**

Date Initiated (mm/dd/yyyy)	Objective	Target Date (mm/dd/yyyy)	Modified Date (mm/dd/yyyy)	Date Completed (mm/dd/yyyy)
10/01/2019	The Agency will analyze employment data, identify barriers, and implement corrective action plans.	09/30/2020	09/30/2023	—

**Responsible Official(s)**

Title	Name	Performance Standards Address the Plan? (Yes or No)
Civil Rights Director	Roberto Contreras	Yes
Human Resources Director	Carlos Worthy	Yes

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**Planned Activities Toward Completion of Objective**

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
09/30/2020	The workgroup will review and revise the action plan as necessary on a bi-annual basis.	Yes	09/30/2023	—
09/30/2020	Coordinate a barrier analysis training to the workgroup.	Yes	—	03/2020
	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
09/30/2020	Establish a work group to include Human Resources, Civil Rights, and the Special Emphasis Program, to conduct a barrier analysis.	Yes	—	09/01/2020
09/30/2020	Report analysis on an annual basis to the Agency Administrator.	Yes	—	07/20/2020

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
<b>FY 2020</b>	The FNS MD-715 Working Group was convened in FY 2020 and participated in 2 trainings and 2 meetings that year. Representatives include Human Resources, Management, Technology, and Finance, Civil Rights, and Special Emphasis Program Managers.
<b>FY 2021</b>	As part of a larger Agency-wide race and equity initiative, the Agency has awarded a contract to a small, minority-owned business to, among other items, conduct a thorough analysis of the Agency and provide a plan to address barriers and improve the Agency overall.



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**MD-715 – Part H-2**  
**Agency EEO Plan to Attain the Essential Elements of a Model EEO Program**

Please describe the status of each plan that the Agency has implemented to correct deficiencies in the EEO program.

If the Agency did not address any deficiencies during the reporting period, please check the box.

**Statement of Model Program Essential Element Deficiency**

Type of Program Deficiency	Brief Description of Program Deficiency
D.3.c.	Does the Agency periodically review the effectiveness of the plans? [see MD-715, II(D)]

**Objective(s) and Dates for EEO Plan**

Date Initiated (mm/dd/yyyy)	Objective	Target Date (mm/dd/yyyy)	Modified Date (mm/dd/yyyy)	Date Completed (mm/dd/yyyy)
10/01/2019	The Agency did not identify barriers during the reporting period and therefore did not implement a plan in Part I. The Agency has not established a process of periodically reviewing the effectiveness of the plans.	09/30/2020	09/30/2023	—

**Responsible Official(s)**

Title	Name	Performance Standards Address the Plan? (Yes or No)
Civil Rights Director	Roberto Contreras	Yes
Human Resources Director	Carlos Worthy	Yes

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**Planned Activities Toward Completion of Objective**

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
09/30/2020	Establish a workgroup to include Human Resources, Civil Rights, and the Special Emphasis Program, to conduct a barrier analysis.	Yes	—	09/01/2020
09/30/2020	Report analysis on an annual basis to the Agency Administrator.	Yes	07/31/2022	05/13/2022; 07/06/2022
09/30/2020	Coordinate a barrier analysis training to the workgroup.	Yes		03/2020
09/30/2020	Work group will review and revise action plan as necessary on a bi-annual basis.	Yes	09/30/2023	—

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
<b>FY 2020</b>	The FNS MD-715 Working Group was convened in FY 2020 and participated in 2 trainings and 2 meetings that year. Representatives include Human Resources, Management, Technology, and Finance, Civil Rights, and Special Emphasis Program Managers.
<b>FY 2021</b>	In July 2021, the present state of the Agency as it relates to the MD-715 was reported to the Senior Leadership.  The Agency has awarded a contract to a small, minority-owned business to conduct a barrier analysis based on objective outcomes performance ratings, promotions, rewards and recognition, diversity, and work-life balance. The barrier analysis will identify five critical phases of the employment life cycle for analysis: 1) Recruitment; 2) Hiring; 3) Training and Development; 4) Promotions; and 5) Separations and will be guided by the EEOC's guiding questions and approach. The barrier analyses will also be informed by prior data analysis of FEVS responses, as well as a thorough review of FNS' policies and procedures, a literature review of organizational barrier analyses at Federal compared with private sector organizations, and conversations with FNS leadership. The findings of this report will be used by the Agency to inform and improve the development of its annual barrier analysis process.
<b>FY 2022</b>	HRD and CRD continued to work collaboratively to ensure that recruitment practices were effective and utilized efficiently in the process of operationalizing Operation 1800, the project where FNS filled nearly 400 positions. Recruitment practices were cited as a possible barrier to achieve the desired workforce. Some progress was made in under-representation of the Hispanic population, but it remains under the CLF.

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**MD-715 – Part I**  
**Agency EEO Plan to Eliminate Identified Barrier**

Please describe the status of each plan that the Agency implemented to identify possible barriers in policies, procedures, or practices for employees and applicants by race, ethnicity, and gender.

If the Agency did not conduct barrier analysis during the reporting period, please check the box.

**Statement of Condition That Was a Trigger for a Potential Barrier:**

Source of the Trigger	Specific Workforce Data Table	Narrative Description of Trigger
Workforce Data Tables	A-1 A-4 A-6	-Participation rates of Hispanic Males are lower than Civilian Labor Force. -Participation rates of Hispanic Males are lower than the Permanent workforce in GS-11, 13, and GS-15, with GS-15 having 0.00% representation for both Hispanic Male and Female. -In most of the Mission Critical Occupations identified, Hispanic Female participation rates are lower than the Occupational Civilian Labor Force (OCLF). For those that are not lower than the OCLF, Hispanic Female participation in the GS-14 and/or GS-15 levels are lower than the OCLF.

**EEO Group(s) Affected by Trigger**

EEO Group	
All Men	
All Women	
Hispanic or Latino Males	X (A4)
Hispanic or Latino Females	X(A4)
White Males	
White Females	
Black or African American Males	
Black or African American Females	
Asian Males	
Asian Females	
Native Hawaiian or Other Pacific Islander Males	
Native Hawaiian or Other Pacific Islander Females	
American Indian or Alaska Native Males	
American Indian or Alaska Native Females	
Two or More Races Males	
Two or More Races Females	

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**Barrier Analysis Process**

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Workforce Data Tables	Yes	Based on under-representation identified, are the demographics of the organization and the hiring division/branch shared with the hiring manager before hiring process begins?
Complaint Data (Trends)	No	—
Grievance Data (Trends)	No	—
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	No	No Findings in FY 2022
Climate Assessment Survey (e.g., FEVS)	—	—
Exit Interview Data	Yes	The interview data does not collect questions' responses by demographics.
Focus Groups		—
Interviews		—
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	No	—
Other (Please Describe)		—

**Status of Barrier Analysis Process**

Barrier Analysis Process Completed? (Yes or No)	Barrier(s) Identified? (Yes or No)
	Yes

**Statement of Identified Barrier(s)**

Description of Policy, Procedure, or Practice
The geographical locations of our national office and regional offices pose challenges as the local area diversity profile for the offices may be significantly different from the representation identified in the national CLF profile.
Recruitment practices may need to be more targeted to achieve the desired workforce.
Interests of the under-represented EEO group are not identified and/or acknowledged.
Vacancy announcements are not shared in specific colleges and universities, specific professional societies, and associations to expand the Agency's applicant pool.

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**Objective(s) and Dates for EEO Plan**

<b>Objective</b>	<b>Date Initiated (mm/dd/yyyy)</b>	<b>Target Date (mm/dd/yyyy)</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Date Completed (mm/dd/yyyy)</b>
Increase Hispanic representation in the FNS workforce particularly in the GS 11- SES levels	08/30/2020	09/30/2021	Yes	09/30/2023	—
Complete a Barrier Analysis to identify the root cause of the low participation rates.	08/30/2020	12/31/2020	Yes	09/30/2023	—

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
Human Resources Director	Carlos Worthy	Yes
Civil Rights Director	Roberto Contreras	Yes

**Planned Activities Toward Completion of Objective**

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
09/30/2020	Establish a work group to include Human Resources, Civil Rights Division, and the Special Emphasis Program to conduct a barrier analysis.		12/31/2020
09/30/2020	Partner with organizations that represent underrepresented groups (ex. HACU, etc.) to learn about the barriers faced and to develop strategies to address underrepresentation.	09/30/2022	09//30/2022

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**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
<b>FY 2022</b>	To mitigate the issues of geographic locations posing challenges to the diversity profile, FNS began the initial implementation of its hybrid work environment in April 2022 with all non-bargaining unit and a portion of its bargaining unit employees. It successfully negotiated a successor collective bargaining agreement with its remaining labor partner which resulted in the implementation of the hybrid for the full workforce in August 2022. As a result of the implementation of the hybrid work environment, over 90 percent of the positions are designated at remote.
<b>FY 2022</b>	As an outcome of the historically significant hiring initiative, Operation 1800, FNS filled nearly 400 positions within a 5-month period which demonstrated the effective and efficient utilization of recruitment practices. The outcomes of the diversified recruitment practices which utilized the full portfolio of OPM hiring authorities resulted in significant increases in the diversity profile and age profile for the employees appointed because of the Initiative.
<b>FY 2022</b>	<p>The FY2021 MD-715 Report was analyzed, presented to management officials at all levels, and informed the design and objectives identified within Operation 1800 which directly resulted in an increased interest and representation of under-represented EEO groups within the FNS workforce.</p> <p>Commissioned in FY 2021, PeopleREADI, formerly known as the FNS Race and Equity Advisory Workgroup, helps inform the Agency's efforts to enhance the work environment by championing equity in the recruitment, retention, and promotion of historically underrepresented employees and promotes equitable opportunities for all employees.</p>
<b>FY 2022</b>	To mitigate the practice of not sharing vacancy announcements, FNS initiated a renewed commitment to building authentic partnerships with Tribal Colleges and Universities (TCUs), Historically Black Colleges and Universities (HBCUs), and the Hispanic Association of Colleges and Universities (HACUs) throughout FY 2022. The commitment includes conducting multiple webinars/workshops with College/University Presidents, Career Placement Offices, and students to build understanding about the Federal hiring process to include providing detailed guidance on resume writing and completion of the job announcement questionnaire. FNS assisted students in building saved job searches for the Agency so that they are notified about all posted job opportunity announcements and shared targeted job opportunity announcements with the college and university career services/placement offices.

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Fiscal Year	Accomplishments																																								
<b>FY 2022</b>	Through the establishment of authentic partnerships with TCUs, HBCUs, and HACUs, FNS provided workshops on the Federal hiring process which included a detailed review of establishing accounts in USAJobs, resume writing for Federal job opportunities in comparison with private sector job opportunities, and resources to assist in building understanding for appointment opportunities through the Pathways Program and other OPM established special hiring authorities targeted for graduate students and college graduates.																																								
<b>FY 2022</b>	<p>The Hispanic representation in the Total workforce decreased minimally for Hispanic Males and increased minimally for Hispanic Females.</p> <p>The Hispanic representation in FNS workforce in Grade levels 11-SES were as follows (highlights are increases):</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th colspan="2" style="text-align: center;">Hispanic Male</th> <th colspan="2" style="text-align: center;">Hispanic Female</th> </tr> <tr> <th></th> <th style="text-align: center;">2021</th> <th style="text-align: center;">2022</th> <th style="text-align: center;">2021</th> <th style="text-align: center;">2022</th> </tr> </thead> <tbody> <tr> <td>GS-11</td> <td style="text-align: center;">1.33%</td> <td style="text-align: center;">1.35%</td> <td style="text-align: center;">4.00%</td> <td style="text-align: center;">6.76%</td> </tr> <tr> <td>GS-12</td> <td style="text-align: center;">3.28%</td> <td style="text-align: center;">2.67%</td> <td style="text-align: center;">6.13%</td> <td style="text-align: center;">6.67%</td> </tr> <tr> <td>GS-13</td> <td style="text-align: center;">2.92%</td> <td style="text-align: center;">2.92%</td> <td style="text-align: center;">5.07%</td> <td style="text-align: center;">4.01%</td> </tr> <tr> <td>GS-14</td> <td style="text-align: center;">2.93%</td> <td style="text-align: center;">3.19%</td> <td style="text-align: center;">4.88%</td> <td style="text-align: center;">5.18%</td> </tr> <tr> <td>GS-15</td> <td style="text-align: center;">0%</td> <td style="text-align: center;">0%</td> <td style="text-align: center;">0%</td> <td style="text-align: center;">16.67%</td> </tr> <tr> <td>SES</td> <td style="text-align: center;">5.88%</td> <td style="text-align: center;">5.88%</td> <td style="text-align: center;">0%</td> <td style="text-align: center;">0%</td> </tr> </tbody> </table>		Hispanic Male		Hispanic Female			2021	2022	2021	2022	GS-11	1.33%	1.35%	4.00%	6.76%	GS-12	3.28%	2.67%	6.13%	6.67%	GS-13	2.92%	2.92%	5.07%	4.01%	GS-14	2.93%	3.19%	4.88%	5.18%	GS-15	0%	0%	0%	16.67%	SES	5.88%	5.88%	0%	0%
	Hispanic Male		Hispanic Female																																						
	2021	2022	2021	2022																																					
GS-11	1.33%	1.35%	4.00%	6.76%																																					
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GS-14	2.93%	3.19%	4.88%	5.18%																																					
GS-15	0%	0%	0%	16.67%																																					
SES	5.88%	5.88%	0%	0%																																					

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**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) | No <input checked="" type="checkbox"/>  |
| b. Cluster GS-11 to SES (PWD)  | Yes <input checked="" type="checkbox"/> |

The participation of PWD in the SES level (5.88%) and other Senior pay positions (7.87%), was lower than the goal of 12%.

**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) | No <input checked="" type="checkbox"/> |
| b. Cluster GS-11 to SES (PWTD)  | No <input checked="" type="checkbox"/> |

—

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

FNS manages an internal workforce demographics dashboard and a recruitment actions tracker, which is updated each Pay Period, and uploaded to an internal SharePoint site for all FNS management officials with responsibility for the hiring process. Senior leadership is briefed on recruitment efforts, status of vacancies, and other pertinent recruitment information on a quarterly basis. HRD holds regular interactions and sends regular communications to HR Liaisons who are responsible for updating and communicating hiring requirements to managers, hiring managers who are responsible for working with HRD to develop appropriate recruitment strategies to reach targeted populations.



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**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**

3. Has the Agency designated sufficient qualified personnel to implement its disability program during the reporting period? If “no”, describe the Agency’s plan to improve the staffing for the upcoming year.

Answer: Yes

—
---

4. 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 Full Time	# of FTE Staff by Employment Status Part Time	# of FTE Staff by Employment Status Collateral Duty	Responsible Official (Name, Title, Office, Email)
Processing applications from PWD and PWTD	3	0	0	—
Answering questions from the public about hiring authorities that take disability into account	3	0	0	—
Processing reasonable accommodation requests from applicants and employees	1	0	0	—
Section 508 Compliance	1	0	0	—
Architectural Barriers Act Compliance	1	0	0	—
Special Emphasis Program for PWD and PWTD		0	0	—

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- 5. Has the Agency provided disability program staff with sufficient training to carry out their responsibilities during the reporting period? If “yes”, describe the training that disability program staff have received. If “no”, describe the training planned for the upcoming year.**

Answer Yes

Staff working in these programs attend classroom and webinar training, as well as attend conferences related to recruitment, hiring and reasonable accommodation. Staff utilize information and knowledge gain from these experiences to further educate the FNS workforce.

**B. Plan to Ensure Sufficient Funding for the Disability Program**

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

Answer Yes

—

**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 PWTDD.

**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.**

FNS Diversity and Inclusion staff worked with Department of Labor on highlighting a recruiting tool called “Workforce Recruitment Program” or WRP. The Department of Labor were guest speakers at the Disability Employee Awareness Month event.

HRD developed a Hiring Authorities resource guide that details various competitive, non-competitive, and other special hiring authorities.

HRD and the hiring manager conducted a strategic recruitment conversation which provides an opportunity for HRD to educate managers on special hiring authorities, including those for PWD.

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- 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.**

FNS utilizes multiple pathways to recruit for PWD and PWTD, including Schedule A and 30 Percent or More Disabled Veterans. These allow the Agency to fill critical vacancies with qualified candidates, in a timely manner. HRD provides resources and education to hiring managers on the benefits of utilizing these flexibilities to hire diverse candidates to include PWD and PWTD.

- 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.**

In order to be eligible for employment through noncompetitive appointment for PWD, job seekers must provide documentation of their disability. Such documentation is used to verify that the individual being hired is indeed a person with a disability. This documentation must be attached with the applicant’s resume. Documentation of eligibility for employment under Schedule A can be obtained from a licensed medical professional (e.g., a physician or other medical professional certified to practice medicine by a state, the District of Columbia, or a U.S. territory; a licensed vocational rehabilitation specialist; or any Federal, State or Agency of the District of Columbia or a U.S. territory that issues or provides disability benefits). Once the applicant is found eligible, the HRD staffing team will share the application with the hiring manager who submitted a vacancy for posting. Below is a snapshot of the steps taken when reviewing and placing the applicant: Hiring Manager/AO/HRD Liaison will provide HRD with the hiring package. A complete hiring package must include: 1) Recruit 52 Form 2) Schedule A candidate’s application and 3) PD and cover sheet for each grade. HRD will determine the candidate’s qualifications, and if the candidate qualifies for the position, proceed with the hiring action.

- 4. Has the Agency provided training to all hiring managers on the use of hiring authorities that take disability into account (e.g., Schedule A)? If “yes”, describe the type(s) of training and frequency. If “no”, describe the Agency’s plan to provide this training.**

Answer Yes

The Agency has provided several sessions in FY 2022 for hiring managers about the recruitment and hiring process, to include competitive and noncompetitive hiring authorities. This was also provided twice in FY 2022 to new FNS supervisors as part of their training requirements. Additionally, an FNS Hiring Authorities resource guide was developed.

- 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.**

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The Agency has established a partnership with various networks to assist in identifying and hiring PWD and PWTD over the past several years, however, the effectiveness of these relationships was limited within the shared service relationship FNS previously operated under. Now that FNS retained its delegated hiring authority and built an internal staffing and recruiting team, the Agency plans to do more focused and targeted outreach to organizations and networks for PWD and PWTD.

**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)  | No |
| b. New Hires for Permanent workforce (PWTD) | No |

According to the data presented, in FY 2022, 22.75% of new hires in the Permanent workforce had a reported Disability and 5.56% had a reported Targeted Disability.

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 |
| b. New Hires for MCO (PWTD) | Yes |

According to the data presented, out of all the MCOs, only 1 PWD was hired.

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 |
| b. Qualified Applicants for MCO (PWTD) | Yes |

According to the data presented, no PWDs or PWTDs were hired.

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**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.**

- |                              |     |
|------------------------------|-----|
| a. Promotions for MCO (PWD)  | Yes |
| b. Promotions for MCO (PWTD) | Yes |

According to information presented, no PWDs or PWTDs were promoted in the MCOs.

**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.**

All employees, regardless of disability status may participate in the Employee Development Program/National Training Program, which is designed to satisfy the occupationally specific, task-oriented training required of an employee to be successful in their job and be competitive for advancement to the higher grades.

**B. Career Development Opportunities**

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

FNS provides employees in grades GS-5 through GS-15 with leadership development training, professional skills development, and rotational/detail opportunities on an ongoing basis. SES personnel development is managed by the USDA Office of Executive Services. We utilize a Leadership Continuum methodology to incorporate targeted competencies into each of the development programs, with increasing competency levels as employee’s progress through the various programs. FNS does not ask applicants to any of the following programs to disclose if they have a disability.

The following describes the leadership continuum programs available to employees. Senior Executive Service Candidate Development Program (SESCDP) is hosted by USDA, which solicits applicants from the Agencies. This program is for high performing GS-14’s and GS-15’s and is designed to further develop SES candidates’ competencies in each of the Executive Core

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Qualifications (ECQs). Graduates of SESCDPs who are certified by OPM's Qualifications Review Board (QRB) may receive an initial career SES appointment without further competition. QRB-certified graduates typically start their SESCDP with experiences normally obtained at the GS-15 level, or equivalent.

Federal Executive Institute (FEI) programs are designed to help executives perform effectively as the top leaders of the American civil service. As leaders with responsibility for running the agencies that defend, protect, regulate, and support our nation and its citizens, and for working effectively with each Presidential Administration and its political appointees, Federal executives are unique among managers. Performance is not measured by "bottom line" numbers or market indicators. Stewardship of the public trust requires a clear understanding of the basic values that support the democratic process and literacy in the fundamental documents that express those belief systems.

Managerial Excellence Program (MEP), is a unique learning experience for professional and personal growth, serves to develop FNS leadership by providing high-quality training to current managers who want to lead the organization in meeting its future challenges.

Leadership Institute (LI) is comprised of three components: training, developmental assignments, and leading teams. The first component is classroom-based training. The second component is developmental assignments which are self-directed. Each participant will identify activities, including, but not limited to, a 30-day rotation, individual change initiative, and a capstone project. The final component is leading teams, where the participants will work on an individual change initiative and a capstone project.

Aspiring Leaders Program (ALP) is a 4-month program that will prepare employees at the GS 5-11 levels with Leadership Development skills for future challenges. The program is designed for classroom learning, developmental work assignments, and self-study assignments to be completed inside and outside the classroom. These avenues will allow participant(s) to meet specific individual & team development skills while acquiring leadership developmental skills for the 21<sup>st</sup> Century. Participants will learn to strengthen their leadership abilities and interpersonal skills through teambuilding and team performance, conflict management, cultural awareness, and other transformations, which will stimulate commitment to personal and professional development.

Career Development Program (CDP) is the occupationally specific, task-oriented training program to develop the skills and competencies required of each mission critical occupational series within FNS. The program consists of directed study, individual knowledge review, and both formal and informal training sessions.

Mentoring Program Career Coaching Program (CCP) is aligned with the FNS Career Pathing Guides (CPG's), which provide competency/skill requirements by occupational series and grade within the Agency. The career coaching program is designed to foster an appreciation of the requirements for each grade level, and for the employees to self-evaluate their strengths and weaknesses against these established metrics.

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Presidential Management Council Inter-Agency Rotation (PM CIR) enables emerging Federal leaders to expand their leadership competencies, broaden their organizational experiences, and foster networks they can leverage in the future.

**2. In the table below, please provide the data for career development opportunities that require competition and/or supervisory recommendation/approval to participate. [Collection begins with the FY 2018 MD-715 report, which is due on February 28, 2019.]**

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Internship Programs						
Fellowship Programs						
Mentoring Programs						
Coaching Programs						
Training Programs	52	30	11.5%	13.3%	5.8%	6.7%
Detail Programs						
Other Career Development Programs						

**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 0 No 0  
 b. Selections (PWD) Yes 0 No 0

FNS was unable to obtain information on applicants and selectees for career development programs.

**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 0 No 0  
 b. Selections (PWTD) Yes 0 No 0

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FNS was unable to obtain information on applicants and selectees for career development programs.

**C. Awards**

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

- |   |            |
|---|------------|
| a. Awards, Bonuses, & Incentives (PWD)  | Answer No  |
| b. Awards, Bonuses, & Incentives (PWTD) | Answer Yes |

According to the data presented, the inclusion rate of PWTD (1.43%) in Time-off awards of 21-30 hours was lower than the inclusion rate of persons with No disability (5.16%), Not identified (8.16%) and PWD (5.62%).

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

- |                         |            |
|-------------------------|------------|
| a. Pay Increases (PWD)  | Answer Yes |
| b. Pay Increases (PWTD) | Answer Yes |

According to the data presented, the inclusion rate for PWD (0.40%) and PWTD (0.0%) in QSIs was lower than the inclusion rate of persons with no reported disabilities (1.05%). However, we note the sample size is small since there was a total of 12 QSI approved for the FY.

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

The Agency does not have any other types of employee recognition programs.



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**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 - No SES positions
  - i. Qualified Internal Applicants (PWD)                      Answer              N/A
  - ii. Internal Selections (PWD)                                      Answer              N/A
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWD)                      Answer              No
  - ii. Internal Selections (PWD)                                      Answer              No
- c. Grade GS-14
  - i. Qualified Internal Applicants (PWD)                      Answer              No
  - ii. Internal Selections (PWD)                                      Answer              No
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWD)                      Answer              No
  - ii. Internal Selections (PWD)                                      Answer              Yes

In grade GS-13, there is a trigger for Internal Selections PWD (10.00%) which is lower than the participation rate of PWD (14.28%) in the applicant pool.
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**2. Does your Agency have a trigger involving PWTB among the qualified *internal* applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box.**

a. SES			
i. Qualified Internal Applicants (PWTB)	Yes	0	No 0
ii. Internal Selections (PWTB)	Yes	0	No 0
b. Grade GS-15			
i. Qualified Internal Applicants (PWTB)	Yes	0	No 0
ii. Internal Selections (PWTB)	Yes	0	No 0
c. Grade GS-14			
i. Qualified Internal Applicants (PWTB)	Yes	0	No 0
ii. Internal Selections (PWTB)	Yes	0	No 0
d. Grade GS-13			
i. Qualified Internal Applicants (PWTB)	Yes	0	No 0
ii. Internal Selections (PWTB)	Yes	0	No 0

FNS will ensure applicant data with all the necessary demographic information be available in FY 2023 in order to conduct the appropriate analysis.

**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 0
b. New Hires to GS-15 (PWD)	Yes	0	No 0
c. New Hires to GS-14 (PWD)	Yes	0	No 0
d. New Hires to GS-13 (PWD)	Yes		

FNS will ensure applicant data with all the necessary demographic information be available in FY 2023 in order to conduct the appropriate analysis.

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

FNS will ensure applicant data with all the necessary demographic information be available in FY 2023 in order to conduct the appropriate analysis.

**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) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |
| b. Managers                            |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |
| c. Supervisors                         |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |

FNS will ensure applicant data with all the necessary demographic information be available in FY 2023 in order to conduct the appropriate analysis.

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**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)		No
ii. Internal Selections (PWTD)		Yes
b. Managers		
i. Qualified Internal Applicants (PWTD)		No
ii. Internal Selections (PWTD)		Yes
c. Supervisors - N/A		
i. Qualified Internal Applicants (PWTD )	Yes 0	No 0
ii. Internal Selections (PWTD)	Yes 0	No 0

FNS will ensure applicant data with all the necessary demographic information be available in FY 2023 in order to conduct the appropriate analysis.

**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 0	No 0
b. New Hires for Managers (PWD)	Yes 0	No 0
c. New Hires for Supervisors (PWD)	Yes 0	No 0

FNS will ensure applicant data with all the necessary demographic information be available in FY 2023 in order to conduct the appropriate analysis.

**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 0	No 0
b. New Hires for Managers (PWTD)	Yes 0	No 0
c. New Hires for Supervisors (PWTD)	Yes 0	No 0

FNS will ensure applicant data with all the necessary demographic information be available in FY 2023 in order to conduct the appropriate analysis.

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**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.

Answer: Yes

Eligible Schedule A employees with disabilities were converted.

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

There were no voluntary or involuntary separations of Persons with Disabilities.

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

a. Voluntary Separations (PWTD)	Yes 0	No 0
b. Involuntary Separations (PWTD)	Yes 0	No 0

There were no voluntary or involuntary separations of PWTDs.

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*.

There were no voluntary or involuntary separations of PWDs or PWTDs.

**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

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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.

[Notice of Rights - Section 508 of the Rehabilitation Act of 1973 | Food and Nutrition Service \(usda.gov\)](#)

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.

[Notice of Rights - Section 508 of the Rehabilitation Act of 1973 | Food and Nutrition Service \(usda.gov\)](#)

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.

Braddock Place Facility, home of the national office, meets ADA requirements. However, in FY 2022, the following activities occurred:

- **ADA Push Button Access Control** – installed at all Pantries and Main Restrooms.
- **Service Animal Language** - added to Health & Safety and Security Policies.
- **Braddock Place Two Motorized Scooters** - recently serviced to ensure they were operational.

In FY 2023, FNS will continue to:

- Assess FNS internal and public facing applicants for Section 508 Compliance with required enhancements for violations.
- Provide training on Section 508 requirements for all federal and contract staff.
- Partner with the Records Management and OPS Teams for required 508 Compliance for printed and digital documents.  
Monitor and assess opportunities to integrate emerging technology for improved accessibility.

**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.

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- 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.)**

**Medical Accommodations:**

- The average time for processing initial reasonable accommodations requests is dependent upon the type of request. Specifically, a reasonable accommodation request for accessible communications/equipment on the average are less than 30 days for ergonomic equipment, and for accessible communications the RA is approved but the item is not received for up to 6 months due to the layers of review by the Office of Information Technology.
- A long-term RA is addressed within 5 business days or less (this includes the interactive session) and processing is dependent upon the need for medical documentation. Because of COVID-19 and some Veterans' Administration Hospitals the employee has trouble seeing their physician or getting a response within the 30 days outlined for the entire RA process to be completed. For these types of accommodation requests, an interim RA is offered pending the medical documentation within an average of 30 days. The final processing of the RA pending medical is usually done within 45 business days after receipt of the medical documentation.
- Reasonable Accommodations for new employees coming from other federal agencies or employees with targeted disabilities whereby the condition is apparent, are completed within 30 business days.

**Religious Accommodations:** The average processing time for religious accommodations is 20 to 30 business days.

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- 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.**

- All new employees receive an introduction 30-minute session about medical and religious accommodations, the process for requesting reasonable accommodations, and the FNS culture regarding reasonable accommodations (CAN-DO and dis-ABILITY).
- The reasonable accommodations office is invited by Civil Rights to offer reasonable accommodations training to the Regional Offices under review and these sessions focus on identifying attitudinal barriers and again the expectation for all employees to see dis-ABILITY and how they play a role in providing accessibility and inclusion for employees with qualifying disabilities.
- Supervisors are provided training at the New Supervisors Training and additionally during Supervisor Summit Sessions.
- Additional sessions were provided when FNS Divisions made requests for training during staff meetings or Disability Awareness Events.
- Monitoring of reasonable accommodations is done to ensure a RA is still effective for an employee and not on the trends for the types of RA requests we receive. Monitoring is built into every RA and is documented by the RA Program Manager.
- The program has identified a delay in IT related requests and are working with the IT Division to expedite these requests.

**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.**

There are two types of PAS options, workplace, and travel. FNS currently does not have a workplace PAS request. Steps with the FNS Contracting staff were made this rating period to set the platform in place to respond to those requests within a timely manner once received. We did not have a PAS travel request during the rating period.



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**Section VI: EEO Complaint and Findings Data**

**A. EEO Complaint data involving Harassment**

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

Answer: N/A

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

Answer: N/A

- 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.**

Out of 6 formal complaints filed at FNS in FY 2022, 33.33% (2) alleged Harassment as a claim and Disability as basis. This percent is higher than the government wide average (20.82%).

There were no findings alleging harassment based on disability status during the last fiscal year.

**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

- 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?**

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.**

There were no findings involving the failure to provide a reasonable accommodation during the last fiscal year. Out of 6 formal complaints filed at FNS in FY 2022, 33.33% (2) alleged failure to provide reasonable accommodation as a claim. This percent is higher than the government wide average (14.02%).

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

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

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

Answer: No

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

Answer: No

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	Barrier(s)	Objective(s)
—	No factors have been identified.	—

Barrier Analysis Process Completed? (Yes or No)	Barrier(s) Identified? (Yes or No)
—	—

Sources of Data	Sources Reviewed? (Yes or No)	Identify Information Collected
Workforce Data Tables		—

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<b>Sources of Data</b>	<b>Sources Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>
Complaint Data (Trends)	—	—
Grievance Data (Trends)	—	—
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	—	—
	—	—
	—	—
<b>Sources of Data</b>	<b>Sources Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>
Complaint Data (Trends)	—	—
Grievance Data (Trends)	—	—
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	—	—
Climate Assessment Survey (e.g., FEVS)	—	—
Exit Interview Data	—	—
Focus Groups	—	—
	—	—
Interviews	—	—
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	—	—
Other (Please Describe)	—	—

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
—	—	—	—	—
—	—	—	—	—

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Fiscal Year	Accomplishments
—	—
—	—

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

No factors exist at present.

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

N/A

**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.**

N/A