

Railroad Retirement Board

For period covering October 1, 2020 to September 30, 2021

PART A Department or Agency Identifying Information	1. Agency	1. Railroad Retirement Board
	1.a 2nd level reporting component	N/A
	2. Address	2. 844 N. Rush Street
	3. City, State, Zip Code	3. Chicago, IL 60611
	4. Agency Code 5. FIPS code(s)	4. RR00 5. 17

PART B Total Employment	1. Enter total number of permanent full-time and part-time employees	1. 837
	2. Enter total number of temporary employees	2. 20
	3. TOTAL EMPLOYMENT [add lines B 1 through 2]	4. 857

PART C Agency Official(s) Responsible For Oversight of EEO Program(s)	Title Type	Name	Title
	Head of Agency	Erhard R. Chorlé	Chairman of the Board
	Head of Agency	John Bragg	Labor Member of the Board
	Head of Agency	Thomas R. Jayne	Management Member of the Board
	Principal EEO Director/Official	Shiri Ndang	Director of Equal Opportunity
	Other EEO Staff	Kathy Robinson	EEO Specialist

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PART D List of Subordinate Components Covered in This Report	Subordinate Component and Location (City/State)	Country	Agency Code
EEOC FORMS and Documents	Required	Uploaded	
Personal Assistance Services Procedures	Y	Y	
Anti-Harassment Policy and Procedures	Y	Y	
EEO Policy Statement	Y	Y	
Organization Chart	Y	Y	
Agency Strategic Plan	Y	Y	
Alternative Dispute Resolution Procedures	Y	Y	
Reasonable Accommodation Procedure	Y	Y	
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	N	N	
Diversity Policy Statement	N	N	
Federal Equal Opportunity Recruitment Program (FEORP) Report	N	N	
Human Capital Strategic Plan	N	N	
EEO Strategic Plan	N	Y	
Disabled Veterans Affirmative Action Program (DVAAP) Report	N	Y	

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EXECUTIVE SUMMARY: MISSION

INTRODUCTION

This Equal Employment Opportunity Program Status Report for Fiscal Year 2021 (FY 2021) outlines the status of the Railroad Retirement Board's (RRB or Agency) Equal Employment Opportunity (EEO) Program activities undertaken pursuant to its EEO program responsibilities under Title VII of the Civil Rights Act of 1964. This report also describes RRB activities undertaken pursuant to its affirmative action obligations under the Rehabilitation Act of 1973, and as required by the U.S. Equal Employment Opportunity Commission's (EEOC) Management Directive (MD) 715.

This report highlights RRB's accomplishments in establishing and maintaining a model program by promoting equal employment opportunity for all employees and applicants for employment. The report also provides the FY 2022 plan to address any programmatic deficiencies that were identified during the year.

THE RAILROAD RETIREMENT BOARD (RRB)

The Railroad Retirement Board (RRB) is an independent agency in the Executive Branch of the Federal Government. Its mission is to administer retirement/survivor and unemployment/sickness insurance benefit programs for the railroad workers and their families under the Railroad Retirement Act and the Railroad Unemployment Insurance Act. These programs provide income protection during senior age and in the event of disability, death or temporary unemployment and sickness. The RRB also administers aspects of the Medicare program and has administrative responsibilities under the Social Security Act and the Internal Revenue Code.

The RRB is the only Federal Agency headquartered in Chicago, Illinois. Of the 800 plus employees, approximately 220 employees work in 53 district offices located throughout the United States with the remainder of our employees in Chicago, Illinois.

The work we do affects the lives of over half a million people who receive various types of benefits from the agency. In response to changing national demographics, the RRB is positioning itself to better meet the needs of the 21st century by becoming an employer of choice in the Federal government, regardless of race, sex (including pregnancy, sexual orientation and gender identity), age, color, national origin, disability, religion and genetic information. This will not only infuse the RRB with the best and the brightest employees available, but it will also improve our ability to understand and appreciate each other, while serving an increasingly diverse railroad community.

THE OFFICE OF EQUAL OPPORTUNITY (OEO)

The Office of Equal Opportunity (OEO) provides leadership, direction and guidance in carrying out the RRB's equal opportunity and civil rights responsibilities. OEO administers the agency-wide Equal Employment Opportunity (EEO) programs by initiating policy as well as by implementing and enforcing a variety of Federal Laws, Executive Orders and regulations that relate to EEO. The Equal Employment Opportunity Commission (EEOC) Management Directive 715 describes elements that are considered essential for a model EEO program.

OEO conducted its fiscal year 2021 (FY21) Equal Employment Opportunity Commission (EEOC) Management Directive 715 (MD-715) Self-Assessment in two iterations. The first iteration was completed prior to the hire of the new EEO Director. After onboarding in January 2022, the new EEO Director conducted a second iteration of targeted assessments, focusing on Parts G and J measures with objective criteria in order to validate key compliance measures in the limited time available before the deferred submission deadline for the FY21 Annual Agency EEO Program Status Report (a.k.a. MD-715 Report). The new EEO Director will conduct a comprehensive validation of all compliance measures as part of the FY 2022 reporting cycle.

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

According to EEOC Management Directive 715, six essential elements serve as the foundation for a model EEO program:

- A. Demonstrated commitment from agency leadership;
- B. Integration of EEO into the agency's strategic mission;
- C. Management and program accountability;
- D. Proactive prevention of unlawful discrimination;
- E. Efficiency; and
- F. Responsiveness and legal compliance

1. Essential Element A: Demonstrated Commitment from Agency Leadership:

RRB's EEO Program meets the requirements of Essential Element A.

The RRB is committed to the principles of EEO and maintaining a successful EEO Program. This commitment is demonstrated throughout the Agency's hierarchy from senior executives, managers and supervisors to all employees. Efforts to demonstrate this commitment include the following:

- A. The agency issues an effective, up-to-date Policy Statement:
 - The agency issued the EEO Policy Statement in July 2021 declaring the agency's position against discrimination on all protected basis. The statement was signed by the three Presidential Appointed Board Members and is posted on every floor in the RRB headquarters building and in every RRB field office.
- B. The agency has communicated EEO policies and procedures to all employees.
 - Disseminated copies of RRB's existing EEO policy statements to all new employees during orientation and onboarding activities. The majority of these offerings were provided virtually due to the pandemic.
 - Ensured that new managers and existing employees, when promoted to supervisory ranks, were provided EEO Training.
 - RRB managers and supervisors actively supported the agency's EEO program and objectives by participating in a variety of EEO and Special Emphasis Program activities or presentations in which EEO or Diversity & Inclusion was discussed.
 - The agency has all EEO policies and procedures such as the anti-harassment policy, reasonable accommodation procedures and other EEO program information downloaded on the internal agency's intranet as well as on the public website.
 - The name of the Director of Equal Opportunity is listed on the agency's website and the names of the EEO Specialist (Special Emphasis Program Chair) and the special emphasis committee members are posted on the agency's internal intranet system for all employees to view.
 - The agency's reasonable accommodation procedure which includes the personal assistance services procedures, and other written materials concerning the EEO program is posted on the agency's internal intranet system.
 - OEO provides training on the EEO policies through the RRB on-line Learning Management System known as RRB University. This training is tracked to ensure everyone completes it.

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

- All RRB SES members' performance plans include an EEO element. In addition, an EEO sub-element was implemented and included in all RRB manager/supervisor (GS 13-15) performance appraisals as of October 2020 (FY 2021).

2. Essential Element B: Integration of EEO into the Agency's Strategic Mission:

The Agency's EEO Program meets the requirements of Essential Element B.

The RRB values its workforce and is committed to having an agency that welcomes and thrives on diversity. This commitment to human capital planning is reiterated in the RRB Strategic Plan for Fiscal Years (FY) 2020-2026 Strategic Plan which is posted on the agency's website:

"While budgets and technology are important, the true foundation for the agency's ongoing success is its dedicated employees. The RRB will continue to recruit and hire a high-performing workforce and foster a leadership environment that inspires, motivates and guides employees towards our strategic goals, allows them to link their responsibilities with the agency's strategic vision, and results in a stable workforce that has the competencies needed to fulfill our mission and reflects the diversity of all segments of American society."

The RRB has instituted an Agency Equity Team (AET). The importance of Equity, Diversity and Inclusion at RRB is reflected by the inclusion of OEO staff on the team.

RRB staff participated in various EEO/diversity training and conferences covering the following areas: EEO investigations; EEO counseling; gender stereotyping; disability program management/reasonable accommodation; EEO complaints process, including dismissal of EEO complaints, motions, hearings, and sanctions; Special Emphasis Program Management; employee engagement; and diversity and inclusion.

The Office of Equal Opportunity (OEO) serves as a resource to RRB managers by providing direction, guidance and monitoring of key activities to achieve a diverse workplace free of barriers to equal opportunity. The agency's EEO program is organized and structured to maintain a workplace that is free from discrimination in management policies, practices and/or procedures.

- The RRB does not have a traditional single person "Agency Head". The agency is headed by a three member Board appointed by the President of the United States. One Board Member is appointed upon the recommendation of the Rail Employers, one is appointed upon the recommendation of the Rail Labor Organizations and the third is appointed to represent the public interest. The Board Members' terms of office are 5 years. The Director of Equal Opportunity reports to the Head of the Agency, who are the three Board Members.
- The OEO Director controls all aspects of the EEO program and has direct access to the Head of the Agency, and their assistants to inform them of the effectiveness, efficiency and legal compliances of the agency's EEO program. The OEO Director ensures timely compliance with EEOC orders and evaluates the EEO program and recommends improvements to the Agency Head. The OEO Director also ensures that complaint counselings, investigations and final agency actions are completed timely.
- During FY 2021, the previous OEO Director was provided with the opportunity to review and offer comments on the Executive Committee (EC) policy revisions regarding workforce issues prior to final implementation. As of FY 2022, the new OEO Director now participates in board meetings and has a bi-weekly recurring meeting with the Senior Executive Officer (SEO) to discuss agency operations. All of the progress was made after the end of the fiscal year reporting cycle, resulting in resolution of this previously identified deficiency in FY 2022.

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- OEO is staffed by the OEO Director and the EEO Specialist who is the complaints manager and oversees all special emphasis committees and programs. The RRB is a small agency and in lieu of personnel being assigned as special emphasis program managers, the RRB has three committees: (1) the Workplace Diversity Committee (WDC); (2) the Employees with Disabilities Advisory Council (EDAC); and (3) the Federal Women's Program Committee (FWPC). Each group assists in planning and carrying out traditional commemorative events and informational programs on various aspects of workplace diversity and disability issues. The EDAC also provides recruitment resources and input on issues that affect their co-workers who have a disability.
- The Office of Equal Opportunity (OEO) is an independent organization reporting directly to the Board and is responsible for its own budget.
- The Director of Equal Opportunity and the EEO Specialist provided training to new supervisors and managers regarding their responsibilities under the EEO program and civil rights laws.

3. Element C: Management and Program Accountability.

The Agency's EEO program meets the requirements of Essential Element C:

- RRB staff participated on inter-agency councils and groups, including the EEOC's Director's Meetings, Small Agency Council EEO Diversity & Inclusion Committee (SAC EEODI), Small Agency Council 501 Subcommittee, OPM's USA Staffing Reporting and Analytics Workgroup meetings, Chicago Federal Executive Board's Shared Neutrals Program, among others.
- Provide input and assist in the coordination, development, and implementation of the following EEO and related plans, in collaboration with Bureau of Human Resources, Director of Administration, and other applicable officials:

The Annual Federal Equal Opportunity Recruitment Program (FEORP) Plan, which involved targeted recruitment efforts based on a determination of underrepresentation of minorities and/or women in the various occupational categories, both nationally and in specific geographic locations.

The Disabled Veterans Affirmative Action Program (DVAPP) Representation and Assessment and Action Plan, which focuses on methods used to recruit and employ disabled veterans, especially those who are 30 percent or more disabled.

- Respond, in a timely manner, to compliance issues related to the EEOC and other applicable instructions (e.g. executive orders).
- OEO reviewed reports reflecting activity for personnel actions such as promotions, awards, accessions and separations. Thus, changes in the workforce are monitored on a continuous basis. This information is transmitted to all bureau/office heads by means of the OEO monthly administrative report which contains statistical updates on the status of employment activity.
- Continued the compilation and distribution of an RRB-wide public campaign of Special Emphasis Programs (SEPs) for each commemorative month, including but not limited to, African American History Month and National Disability Employment Awareness Month.
- RRB continues to ensure that all EEO policies were prominently posted in all Headquarters and field offices, employee bulletin boards, and on the agency website. All policies related to anti-discrimination laws, civil rights, the eeo complaint process, reasonable accommodations policies and ADR have been posted on the agency website.

4. Essential Element D: Proactive Prevention of Unlawful Discrimination.

The Agency's EEO program meets the requirements of Essential Element D.

- Encouraged the use of Alternate Dispute Resolution (ADR) to all employees via the EEO Complaints Program, inclusive of supervisors and managers.

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- Conducted workforce analyses regarding race, ethnicity, sex, and disability in which the groups were evaluated via workforce profile, major occupations, grade level distribution, compensation and reward system, and management/personnel policies and procedures. The RRB is a small agency and discriminatory policies or practices would easily come to light.
- The No FEAR Act training module was updated by OEO staff for a planned deployment in FY 2022 across RRB as mandatory training.
- The Employees with Disabilities Advisory Council (EDAC) has continued to work with the Bureau of Human Resources to establish organizations that assist people with disabilities in returning to the workforce.

5. Essential Element E: Efficiency.

The agency's EEO program meets the requirements of Essential Element E.

RRB met all measures under Essential Element E. Some highlights of accomplishments under this element include the following:

- The agency maintains an efficient, fair, and impartial complaint resolution process. The agency has collateral duty EEO Counselors and we secure contracted investigators for formal complaints. All employees/applicants who file an informal complaint of discrimination receives a Rights and Responsibilities booklet when they first contact the OEO. Contracted investigators are held accountable for poor work product and/or delays of complaint report of investigation files. All files and required documents are downloaded in proper format to EEOC through the Federal Sector EEO Portal (FedSEP).
- Continued to track and monitor all EEO complaint activity throughout an Excel program.
- All RRB EEO Counselors received the required 8 hour refresher training.
- Continued to identify and monitor trends in complaint processing to ensure the agency is meeting its obligation under applicable laws.
- Sufficiency reviews are conducted within OEO by the Director and the EEO Specialist. No one in the RRB's Office of General Counsel (OGC) reviews the report in advance of the complainant requesting a hearing before EEOC. OGC is not included in the counseling or the investigation stage. OEO is responsible for drafting the final agency decision for the agency.
- ADR is offered to every complainant who files a complaint of discrimination/harassment except those who file a sexual harassment complaint. Once ADR is elected, managers and supervisors are required to participate. Participating managers are also required to have the applicable settlement authority. Those who elect ADR usually settle their complaint during the informal stage.
- All complaints were processed within the required timeframes; from the counseling stage to the final action.
- The RRB timely submitted its annual EEOC Form 462 report which details the agency's complaint activity during FY2021.
- As required by the No FEAR Act, updates of the statistical data pertaining to the complaints of discrimination filed by employees and applicants for employment were posted quarterly on the agency's website. The annual No FEAR Act was timely submitted to the required congressional entities and government agencies including the EEOC.
- The Office of General Counsel (OGC) represents the agency in EEO complaints at the hearing stage. The attorneys do not get involved during the counseling or investigation stage. OEO is responsible for the Final Agency Decision (FAD).

6. Essential Element F: Responsiveness and legal compliance.

The agency's EEO program meets the requirements of Essential Element F.

RRB continues to maintain the goal of full compliance with all EEO statutes, regulations, policy guidance, and other

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written instructions. All Agency personnel are held accountable for timely compliance with orders issued by the EEOC.

- Process all complaints in accordance with EEOC's regulatory timeframes
- When a Complainant requested a hearing, their complaint file was timely submitted to EEOC.
- Due to the COVID-19 pandemic, most agency work shifted to remote/telework execution. Measures were taken to ensure that virtual meetings were accessible to a wide range of employees with and without disabilities.
- The agency timely and accurately submitted the No FEAR Act report to EEOC.
- The agency timely posted its quarterly No FEAR Act data on its public webpage. This was completed by the 15th of the month following the end of the quarter.

Other Relevant Deficiencies, Potential Issues, and EEOC Requests:

In addition to the deficiencies identified as part of the FY 2020 MD-715 Self-Assessment process, other deficiencies were identified by the EEOC during its technical assistance review (TAR) of RRB. In the EEOC's TAR letter, it identified the following deficiencies (which had not yet been resolved at the time of the TAR), as well as new issues which collectively include:

- The EEO Director does not participate in senior-level staff meetings;
- RRB does not recognize employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity;
- RRB does not collect exit interview data;
- RRB has not established timetables to review its merit promotion, employee recognition/awards, and employee development/training programs for systemic barriers;
- RRB does not have career development programs for persons with disabilities and persons with targeted disabilities; and
- RRB has submitted incomplete applicant flow data, specifically A/B7 and A/B8, in its MD-715 report.

After the EEOC TAR, RRB made progress on most of the identified issues:

- The EEO Director has started to participate in senior-level staff including, Board meetings.
- The agency's incentive awards program was revised in October 2021 and it does include two EEO recognition awards, namely RRB's EEO Achievement award & RRB's EEO Special Performance award. In conjunction with RRB's Human Resources Director, the OEO Director is currently working on a plan of action to implement and utilize these two incentive awards in FY 2022 to recognize employees, supervisors, managers and units for outstanding contributions to RRB's EEO program.
- As part of the agency's IT Modernization rollout plan in FY 2022, RRB deployed an exit survey and also made revisions to it to fulfill relevant regulatory requirements.
- The agency plans to have its OEO and Human Resources staff attend upcoming EEOC Institute training on MD-715 and Barrier Analysis, so that they can acquire the knowledge and skills needed to review data from our HR system & HR policies as well as identify systemic barriers. As of the writing of this report, all EEOC Training Institute classes are unavailable until further notice according to the EEOC Training registration page.

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- The RRB **DOES NOT** have the ability to use Schedule A hiring authority (non-competitive hiring) as it is an excepted service authority and our establishing legislation prohibits the use of most excepted service authorities, including Schedule A. This response stems from the *Powers and Duties of the Board* section of the RRA of 1974. The specific language is located in 45 USC 231f (b)(9). Nevertheless, our agency has created work-arounds for this limitation to comply with other OMB rules, such as hiring attorneys, students, and recent graduates as excepted service. We however welcome any solutions and recommendations that EEOC may have to assist with RRB's limitation on non-competitive hiring. When it comes to employee retention, supporting persons with disabilities through reasonable accommodations (RA) in compliance with laws and regulations governing Federal sector equal employment opportunity (EEO) and civil rights is a high priority of RRB. Our agency also works to ensure equal opportunity through policy development, workforce analyses, outreach, and education. All new employees are provided information about RRB's reasonable accommodation services as a regular part of the onboarding process to ensure persons with disabilities know how to obtain an accommodation. These initiatives benefit RRB employees with disabilities, specifically, but also help RRB provide an open and inclusive environment for all employees.
- OEO and the Bureau of Human Resources are collaborating to address the gaps in EEO data collection. As of FY 2022, HR staff have been given access to FedSEP and will assist in the uploading of EEO data required for the MD-715 report.

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

OEO staff conducted demographic review of RRB workforce. The review was conducted using data self-reported by RRB employees with regard to their racial and ethnic identity, gender, and disability status. The review is based on measurement areas as required by MD-715. These measurement areas comprise a significant portion of any organization's total human resource life cycle.

USA Staffing data reflects that the RRB total workforce for FY 2021 was 857 employees (837 permanent and 20 temporary). During FY 2021, a total of sixty-nine (69) individuals were hired and a total of sixty-six (66) individuals separated from the agency.

The FY 2021 total workforce represents an increase of 15 employees (or 1.75 percent) over FY 2020. RRB has three (3) Presidential appointed board members and seven (7) Executive Committee (EC) members to assist in managing its mission, responsibilities and goals.

Gender Distribution

RRB has a higher participation rate for females. In FY 2021, males comprised 364 or 43.5 percent of the permanent RRB workforce. Females comprised 473 or 56.5 percent of the permanent workforce.

Ethnic and Race Indicators

In FY 2021, the ethnic and race indicators were as follows:

African American/Black males represented 11.2 percent (94) of the permanent RRB workforce.

African American/Black females represented 28.9 percent (242) of the permanent RRB workforce.

American Indian/Alaskan Native males (AIAN) represented 0.1 percent (1) of the permanent RRB workforce.

American Indian/Alaskan Native (AIAN) females represented 0.1 percent (1) of the permanent RRB workforce.

Asian American males represented 2.8 percent (23) of the permanent RRB workforce. This remained at the same levels from FY 2020.

Asian American females 1.9 percent (16) of the permanent RRB workforce. This is a slight increase from 1.6 percent (14)

Asian American females in FY 2020.

Hispanic males represented 3.7 percent (31) of the permanent RRB workforce. This is a decrease from 40 Hispanic males (4.75 percent) in FY 2020.

Hispanic females represented 4.5 percent (38) of the permanent RRB workforce. This is a slight decrease from 42 Hispanic females (5 percent) in FY 2020.

Native Hawaiians/Pacific Islander (NHOPI) males represented 0.2 percent (2) of the permanent RRB workforce.

Native Hawaiians/Pacific Islander (NHOPI) females represented 0 percent (0) of the permanent RRB workforce.

White males represented 24.6 percent (206) of the permanent RRB workforce.

White females represented 20.7 percent (173) of the permanent RRB workforce.

EEOC provides an opportunity for federal employees and applicants to self-identify as having "Two or more Races."

I. FY 2021, men having "Two or more Races" comprised 0.8 percent (7) of the RRB permanent workforce. "Two or more Races" females comprised 0.4 percent (3) of the RRB permanent workforce.

Whites comprised the majority of the RRB permanent workforce in fiscal year (FY) 2021 at 45.3 percent followed by Blacks at 40.1%. Asians comprised 4.7 percent of the permanent workforce and Hispanics/Latinos comprised 8.2 percent of RRB's permanent workforce in FY 2021. Other racial/ethnic groups (i.e., American Indian/Alaskan Native, Native Hawaiian/Other Pacific Islander, and Two or More Races/Ethnicity) comprised 1.6 percent of RRB's permanent workforce in FY 2021. As in previous years, American Indians/Alaskan Natives (AIAN), Hawaiian/Other Pacific Islanders (NHOPI) and persons of Two or More Races continue to remain largely absent from RRB's permanent workforce.

In terms of workforce representation, African American/ Black females represent the largest percentage of the workforce at 28.9 percent (242).

Hispanic males and females, African American/Black males and females experienced small decreases in participation rates in the permanent workforce between FY 2020 and FY 2021. There was a slight increase in the percentage of Asian American females in FY 2021.

Disability

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

In FY 2021, Persons with a disability (PWD) made up 22.93 percent (192) of RRB's permanent workforce, exceeding EEOC's goal of 12.00 percent. In addition, persons with a targeted disability (PWTD) made up 2.62 percent (22) of the permanent workforce, also exceeding EEOC's goal of 2.00 percent.

New Hires

During FY 2021, RRB hired 69 new employees: 59 (85.5 percent) into permanent positions and 10 (14.5 percent) into temporary positions. This is an increase of 9 from the 60 new hires in FY 2020.

- African American/Black males = 7
- African American/Black females = 21
- American Indian/Alaskan Native males = 1
- American Indian/Alaskan Native females = 0
- Asian American males = 1
- Asian American females = 2
- Hispanic males = 2
- Hispanic females = 0
- Native Hawaiians/Pacific Islander males = 0
- Native Hawaiians/Pacific Islander females = 0
- White males = 15
- White females = 19
- "Two or more Races" males = 0
- "Two or more Races" females = 1

The trend for at least the past two years has been the majority of new permanent hires went to African American/Black female applicants followed by White female applicants, while the least hired were Asian, Hispanic, American Indians/Alaskan Natives (AIAN), Hawaiian/Other Pacific Islanders (NHOP) and persons of Two or More Race applicants. This pattern continued for FY 2021.

Workforce Participation by Grade Level

In FY 2021, the majority of RRB's permanent employees are in higher-graded professional and administrative positions. However, minority representation in higher grades (i.e., 13, 14, 15, and SES) is disparate compared to whites. For all grades 13 through SES, White permanent employees had the highest levels in the workforce.

In FY 2021, White permanent employees held 48 percent of GS-13 positions compared with 34 percent for African American/Blacks, 6 percent for Asians, and 12 percent for Hispanics. Other race/ethnic groups held less than 1 percent of GS-13 positions.

White permanent employees held 65 percent of GS-14 positions compared to 19 percent for African Americans/Blacks, 11.5 percent for Asians, and 4 percent for Hispanics. Again, other race/ethnic groups held less than 1 percent or were not represented in the grade.

White permanent employees comprised 70 percent of GS-15 positions compared to 15 percent for African American/Blacks, 7.5 percent for Asians and 7.5 percent for Hispanics. Other race/ethnic groups held less than 1 percent or were not represented in the grade.

60 percent of SES positions were held by White permanent employees compared to 30 percent for African American/Blacks and 10 percent for Hispanics. Asians and Other race/ethnic groups were not represented in SES positions.

Overall, the participation rate of African American/Blacks, Asians, Hispanics and Other race/ethnic groups decreased as the grades increased.

Permanent employees in grades GS 1 through 10 positions = 295
 Permanent employees in GS-11 positions = 121
 Permanent employees in GS-12 positions = 186
 Permanent employees in GS-13 position = 107
 Permanent employees in GS-14 positions = 78

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

Permanent employees in GS-15 positions = 40
Permanent SES employees = 10

SES Participation by Race

There were a total of 10 employees in SES positions, of which
6 were White (60 percent),
3 were African American/Black (30 percent) and
1 was Hispanic (10 percent).

GS-15 Participation by Race

There were a total of 40 employees in GS-15 positions, of which
28 were White (70 percent),
6 were African American/Black (15 percent),
3 were Asian (7.5 percent),
3 were Hispanic (7.5 percent)

GS-14 Participation by Race

There were a total of 78 employees in GS-14 positions, of which
51 were White (65 percent),
15 were African American/Black (19 percent),
9 were Asian (11.5 percent), and
3 were Hispanic (4 percent)

GS-13 Participation by Race

There were 107 employees in GS-13 positions, of which
51 were White (48 percent),
36 were African American/Black (34 percent),
7 were Asian (6 percent),
13 were Hispanic (12 percent)

In FY 2021, Persons with Disabilities (PWDs) had a participation rate of 22.93 percent in the permanent workforce and exceeded/met EEOC's goal of 12 percent in both the GS 1-10 and GS 11-SES grade groupings. PWD comprised 11.23 percent of GS 1-10 grades and 11.70 percent of GS 11-15 grades in the permanent workforce. Persons with Targeted Disabilities (PWTDs) had a participation rate of 2.6 percent in the permanent workforce and exceeded EEOC's goal of 2.00 percent for GS 1-10 and GS 11-SES. PWTD comprised 1.4 percent of GS 1-10 grades and 1.2 percent of GS 11-15 grades in the permanent workforce.

The total number of Persons with Disabilities (PWDs) in RRB's permanent workforce for FY 2021 was 192 (22.93 percent). There were 94 (11.23 percent) PWDs in the GS 1-10 grade cluster. There were 98 (11.70 percent) PWDs in the GS 11 – SES grade cluster.

The total number of Persons with Targeted Disabilities (PWTDs) in RRB's permanent workforce for FY 2021 was 22 (2.6 percent).

There were 12 (1.4 percent) in the GS 1-10 grade cluster.
There were 10 (1.2 percent) in the GS 11-SES grade cluster.

Net Change: Gains and Losses

The net change between gains and losses for the total RRB employee workforce in FY 2021 was positive (+3 or 0.35 percent), with 69 new hires and 66 employee separations.

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EXECUTIVE SUMMARY: ACCOMPLISHMENTS

In FY 2021, the RRB made some strides to address past deficiencies and to establish a model EEO program. The agency also sought to maintain engagement with managers and supervisors to increase awareness of EEO issues, policies and procedures despite the covid pandemic-related maximum telework posture. We also continued to support Special Emphasis Groups and Programs to foster an inclusive work environment for all employees.

- EEO Policy Statement signed by the three Member Board was shared directly with staff and published on the RRB intranet for further reference.
- RRB's Office of Equal Opportunity (OEO) Director provided monthly administrative reports to the Board regarding EEO program activities.
- RRB employees were assigned the mandatory No FEAR Act training in FY 2021. New employees are required to complete the No FEAR Act training course during orientation via RRB University within their first 30 days.
- OEO staff updated and released an internal No FEAR Act training video.
- In accordance with Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, OEO reviewed all existing orders, regulations, guidance, policies and programs to ensure compliance with Section 1 of the Executive Order. This resulted in several revisions that included such items as the EEO Handbook, Sexual Harassment Policy, and the Alternative Dispute Resolution program.
- Due to limitations on gatherings, OEO fully implemented utilization of its OEO SharePoint site to engage agency employees with honoring Special Emphasis Diversity programs. Video(s) were presented recognizing and highlighting Black History month, Women's History month, Asian Pacific Heritage month, Hispanic Heritage month, Native American History month and Disability Awareness in Employment month.
- Like most other federal agencies, the RRB remain affected by the covid pandemic for the second year in a row and most agency buildings were still closed to the public in FY 2021. Majority of our employees worked from home for their safety. All complaint forms and information was already on-line so we were able to process complaints over the telephone and on-line. Due to the continuing health & safety measures surrounding the pandemic, all employees were still provided a link to view civil rights programs on-line during their work-day just as if they were present at the agency.
- The agency provided EEO training to new managers and supervisors.
- The agency provided its annual refresher training to all EEO Counselors and recruited three (3) new EEO Counselors.
- All EEO complaints were processed within the regulatory timeframes: Counselings were processed within the 30 day timeframe with no extension required; Acknowledgement Letters of receipt of formal complaints were process within 5 business days; Investigation(s) completed within the 180 day timeframe.
- Closely monitored the status of complaint investigations. The Statement of Work required contractors to be fully trained and described a penalty if the contractor failed to deliver a quality product within the prescribed timeframes.
- Out of the five complaints processed in FY 2021, three Complainants filed based on non-selection for promotion, (this includes two that were filed in the previous year(s) and was continuing to be processed). The bases of complaints filed in FY 2021 included race (black), color, sex and/or age (over 40). This prompted a review of the analysis conducted in FY 2020 due to the fact that only one Complainant filed in FY 2021 on non-selection. We noticed that there was no significant change. The criteria used to rate applicants seemed relevant and fair. The Selecting Official did not skip over any individual(s) to promote those rated lower and less qualified. Therefore, we have not found a practice of discrimination in the selections for promotions.
- Provided guidance and assistance on a continuing basis to customers including 1) employees with EEO concerns; 2) employees with non-EEO issues who wanted guidance on how to handle a workplace dispute; 3) managers who had questions about how to deal with a situation or an inquiry about the EEO process; 4) AFGE officials who requested assistance and 5) railroad customers who requested assistance with an EEO related matter. Employees feel comfortable talking to OEO about their concerns because we provide a safe place where they can vent their frustrations and discuss possible solutions. Managers feel confident that they have received proper information and/or guidance.
- Reviewed reports reflecting activity for personnel actions such as promotions, accessions, and separations in relation to race, sex, veteran's preference and disability. Thus, changes in the workforce were monitored on a continual basis.
- The agency received and processed eight (8) reasonable accommodation requests in FY 2021. The top three reasonable accommodation request were for ergonomic keyboard, sit/stand desk, and ergonomic mouse.
- **PHYSICAL ACCESSIBILITY:** All RRB Headquarters facility spaces comply with all ADA requirements including handicapped accessible parking spaces, automated door openers, accessible bathrooms, physical access for employees and visitors with mobility and visual challenges. All automated door openers, and bathroom access, along with grab bars, and entrance doors are part of the overall preventive maintenance schedules performed by maintenance personnel under our facility maintenance contract. In addition, any new building construction performed at the headquarters facility must comply with the latest ADA standards.

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EXECUTIVE SUMMARY: ACCOMPLISHMENTS

- DIGITAL ACCESSIBILITY: The RRB covers the 508 requirements as part of all new internally developed applications and Commercial Off-The-Shelf (COTS) purchases. Any information published on the agency's public website is checked and confirmed to be 508 compliant prior to dissemination.
- HIRING ACCESSIBILITY: In its review of RRB's FY 2020 MD-715 Report, EEOC noted that RRB did not provide information and list the staff who process employment applications for applicants/persons with disabilities and targeted disabilities. Although our agency is restricted from hiring under Schedule A hiring, we do have a Selective Placement Coordinator who handles any disability-related issues that arise during the application and selection processes. All job applications are processed through USAJOBS.

Railroad Retirement Board

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EXECUTIVE SUMMARY: PLANNED ACTIVITIES

The planned activities for FY 2022 include the following:

- RRB's Office of Equal Opportunity (OEO) will continue to collaborate with the Bureau of Human Resources to address and correct deficiencies identified by EEOC in its review of our FY 2019 and FY 2020 MD-715 reports.
- RRB will re-establish and include EEO awards as part of the incentive awards program to recognize employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity.
- RRB will re-establish the collection of exit survey data.
- RRB will ensure it has effective and accurate data collection systems in place to review external and internal applicant flow data concerning the applicant's race, national origin, sex, and disability status.
- RRB will establish timetables/schedules for the OEO and Human Resources Directors to review at regular intervals the 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.
- The OEO Director will provide a "State of the Agency" to the agency Board Members and/or their designees.

CONCLUSION

RRB leadership is proud of its accomplishments in the areas of attracting, developing, and retaining an increasingly diverse workforce. RRB's overall representation of women, minorities, and persons with disabilities, is a significant accomplishment. This report identified accomplishments, but also identified some challenges requiring attention, including implementing an effective barrier analysis timetable/schedule, establishing a career development program, improving the retention strategy through the use of an exit survey, and increasing the participation of persons with disabilities and persons with targeted disabilities. The plans in Parts H and J address these issues.

CERTIFICATION of ESTABLISHMENT of CONTINUING EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

I, Shiri Ndang, Director of the Office of Equal Opportunity (GS-0905-14) am the

(Insert name above)

(Insert official title/series/grade above)

Principal EEO Director/Official for

Railroad Retirement Board (RRB)

(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.

Shiri Ndang

05/10/2022

Signature of Principal EEO Director/Official

Date

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

FOR THE BOARD

05/10/2022

Signature of Agency Head or Agency Head Designee



Date

Railroad Retirement Board

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Agency Self-Assessment Checklist



Essential Element: A Demonstrated Commitment From agency Leadership

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.1. The agency issues an effective, up-to-date EEO policy statement.				
	A.1.a. Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "Yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	X			Yes, the EEO policy statement is signed by the 3 Board Members and posted in clear view on every floor in headquarters in every field office. 7/19/2021
	A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	X			Yes. parental status, marital status, political affiliation, military service and other non-merit based factors.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.2. The agency has communicated EEO policies and procedures to all employees.				
A.2.a. Does the agency disseminate the following policies and procedures to all employees:					
A.2.a.1. Anti-harassment policy? [see MD 715, 11(A)]					
		X			Yes. The Anti-Harassment Policy is on the agency public website as well as the agency's internal intranet which can be accessed by all employees. It is also summarized on an all-inclusive poster along with other EEO programs that is posted throughout headquarters and in every field office.
A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]					
		X			Yes. The Reasonable Accommodation Procedure is on the agency's public website as well as the agency's internal intranet which can be accessed by all employees. It is also summarized on an all-inclusive poster along with other EEO programs that is posted throughout headquarters and in every field office.
A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:					

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Agency Self-Assessment Checklist

<p>A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]</p>	<p>X</p>		<p>Yes. The OEO Director's name is posted in the headquarter building lobby, on the agency's public website, the agency's internal intranet and on an EEO poster posted in every RRB office and every floor in headquarters. The diversity committee members and EEO Specialist names are listed on the agency's intranet. EEO Counselors are not listed because employees must contact the OEO Director.</p>
<p>A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR §1614.102(b)(5)]</p>	<p>X</p>		<p>Yes, our agency created a poster listing and summarizing the EEO Programs: Anti-Harassment Policy and Procedure, Discrimination Complaint Program, ADR, Reasonable Accommodation Program, Section 504 and Section 508.</p>
<p>A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.</p>	<p>X</p>		<p>Yes. https://www.rrb.gov/Resources/OfficeOfEqualOpp/EEOpolicies.</p>
<p>A.2.c. Does the agency inform its employees about the following topics:</p>			

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Agency Self-Assessment Checklist

A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If “yes”, please provide how often and the means by which such training is delivered.

X

Yes. Explanation of the EEO complaint process is given in the mandatory No FEAR Act bi-annual training. It is also posted on the internal intranet, the public website and on the poster board posted in every RRB office and each floor at headquarters. The Office of Equal Opportunity (OEO) has a Rights and Responsibilities Complaints Booklet explaining the complaint process in paper and online.

A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If “yes”, please provide how often.

X

Yes. Explanation of the ADR process is included in the mandatory No FEAR Act bi-annual training and is posted on the EEO Programs poster on every RRB floor and in every field office. The OEO has written materials and a video about ADR that is accessible to all employees on RRB Vision.

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Agency Self-Assessment Checklist

<p>A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If “yes”, please provide how often.</p>	<p>X</p>		<p>Yes. An explanation of the Reasonable Accommodation program is included in the mandatory No FEAR Act bi-annual training and is posted on the EEO Program poster that is posted on every RRB floor at headquarters and in every field office. The OEO has written materials for employees.</p>
<p>A.2.c.4. Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If “yes”, please provide how often.</p>	<p>X</p>		<p>Yes. Explanation of the Anti-harassment program is included in the mandatory No FEAR Act bi-annual training and it is posted on the EEO Programs poster that is posted on every RRB floor in headquarters and in every field office. The policy is on the public website and the agency's internal intranet. It was revised in 2020 to remove the investigation from the OEO to the Office of Administration.</p>
<p>A.2.c.5. Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR §2635.101(b)] If “yes”, please provide how often.</p>	<p>X</p>		<p>Yes. This is included in the Anti-Harassment policy and is explained in the No FEAR Act training provided to all RRB employees every 2 years.</p>

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.3. The agency assesses and ensures EEO principles are part of its culture.				
	A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If "yes", provide one or two examples in the comments section. .	X			In FY 2020, the Office of Equal Opportunity (OEO) collaborated with HR to have EEO language included as a sub-element on all manager/supervisor performance appraisals. As of FY 2021, EEO is an element that all RRB managers/supervisors are appraised on. In addition, RRB's awards policy was revised in October 2021 to include 2 EEO recognition awards (slated for implementation in FY 2022).
	A.3.b. Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]'	X			Yes we do.

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Agency Self-Assessment Checklist

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

Railroad Retirement Board

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.1. The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.				
	B.1.a. Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	X			Yes. The head of the RRB is a three member board appointed by the President of the U.S (POTUS). The OEO Director reports directly to the 3 member board.
	B.1.a.1. If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.			X	The OEO Director reports to the 3 member Board.
	B.1.a.2. Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	X			Yes, the agency's organizational chart clearly defines the reporting structure for the EEO office.
	B.1.b. Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	X			Yes. OEO's physical office is located on the same floor with the 3 member board offices. The Board members and/or their assistants are always open to meeting with the OEO Director on issues about the efficiency and legal compliance of the agency's EEO program. In addition, the OEO Director briefs the board members through submission of monthly administrative reports

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Agency Self-Assessment Checklist

<p>B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.</p>	<p>X</p>		<p>The previous OEO Director provided monthly administrative reports to the Board Members and their assistants in FY2021 as well as frequent ongoing briefings.</p>
<p>B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]</p>	<p>X</p>		<p>In FY 2021, the Senior Executive Committee Members had weekly conference call meetings with the previous OEO Director to keep her updated on all senior level meetings concerning personnel, budget, technology and other workforce issues. In FY 2022, the new OEO Director has begun attending board meetings and has recurring bi-weekly meetings with the agency's Senior Executive Officer (SEO).</p>

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.2. The EEO Director controls all aspects of the EEO program.				
	B.2.a. Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			Yes. The EEO Director implements and updates the affirmative employment program.
	B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			Yes. The EEO Director and the EEO Specialist jointly oversee completion of EEO counselings.
	B.2.c. Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			Yes. The EEO Director and the EEO Specialist oversee the fair and thorough investigation of EEO complaints.
	B.2.d. Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			Yes. EEO staff work with the Office of the General Counsel to ensure timely issuance of all final agency decisions.
	B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			Yes.
	B.2.f. Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	X			Yes.
	B.2.g. If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (c)(3)]			X	The agency does not have subordinate level components.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.				
	B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	X			If the meeting involves EEO or DEIA issues, the EEO Director is included. Sometimes it may be a review of the recruitment strategies, vacancy projections, succession planning, etc., prior to implementation. As of FY 2022, the EEO Director has bi-weekly recurring meetings with the Senior Executive Officer (SEO) to discuss agency operations.
	B.3.b. Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	X			Yes. The RRB Strategic Plan states that "The RRB will continue to recruit and hire a high-performing workforce that reflects the diversity of all segments of American society."

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.4. The agency has sufficient budget and staffing to support the success of its EEO program.				
	B.4.a. Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:				
	B.4.a.1. to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	X			We supplement the staffing with three EEO committees, (Workplace Diversity Committee, Federal Women's Program Committee and Employee Disability Advisory Council); as well as the use of collateral duty EEO counselors to assist with complaint processing.
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			Yes. We have a Reasonable Accommodation Coordinator within the Bureau of Human Resources that oversees the Reasonable Accommodation process.
	B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	X			Yes. We have proper staffing that oversees the timely and complete compliance with EEOC orders.

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Agency Self-Assessment Checklist

B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]

X

During FY 2021, RRB's OEO program did not have the trained staff to perform trend and other data analyses, such as identifying triggers and barriers to EEO throughout the agency. Training of OEO and Bureau of Human Resources staff as well as qualified shared resources may be necessary to meet EEOC data collection, barrier analysis, trigger identification and reporting requirements.

B.4.a.3. to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR §§ 1614.102(c)(5); 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]

X

Yes, the EEO Specialist specializes in complaint processing and together we ensure timely, thorough and fair processing of EEO complaints, including overseeing EEO counseling, investigations and legal sufficiency reviews. The Bureau of Law completes all Final Agency Decisions but we ensure timeliness.

Railroad Retirement Board

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Agency Self-Assessment Checklist

<p>B.4.a.4. to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.</p>	<p>X</p>		<p>Yes. We accomplish all the training through the annual New Supervisor's Training sessions and/or through the RRB University training portal. OEO created a PowerPoint presentation on the No FEAR Act that is uploaded to RRB University. It is then assigned to all employees and tracked for completion.</p>
<p>B.4.a.5. to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]</p>			<p>X There are no components of the RRB. We are one agency with offices in the field but these offices fall under the same EEO programs.</p>
<p>B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]</p>	<p>X</p>		<p>Yes, the agency has a print shop that prints our EEO literature and/or materials for various programs. Policies are posted throughout the agency in plain view as well as in every Field office. We also have an internal and external website where we post our various policies and information on our EEO programs.</p>

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Agency Self-Assessment Checklist

<p>B.4.a.7. to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)] If not, please identify the systems with insufficient funding in the comments section.</p>	<p>X</p>		<p>Yes, we used an Excel spreadsheet to track all complaint data and analyze and compare the data for any trends or similar complaints in the same department or under the same management. We also track whether there are similar issues occurring within the same department or unit, etc.</p>
<p>B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women’s Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]</p>	<p>X</p>		<p>Yes. All Special Emphasis program meetings and activities were virtual during fiscal year 2021 since the agency was operating in a maximum telework posture due to the Covid-19 pandemic.</p>
<p>B.4.a.9. to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I; EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C. 1]</p>	<p>X</p>		<p>Yes. We have transferred all anti-harassment complaints to the Office of Administration to create a firewall with the Office of Equal Opportunity.</p>
<p>B.4.b. Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]</p>	<p>X</p>		<p>Yes.</p>
<p>B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]</p>	<p>X</p>		<p>Yes. We thoroughly explain our roles as EEO officials as it is defined in the MD-110. Our role is also mentioned in our EEO Complaints booklet as well.</p>
<p>B.4.d. Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II) (A) of MD-110?</p>	<p>X</p>		<p>Yes, the Director of Equal Opportunity ensures all training is completed by requiring a copy the certificate of completion.</p>

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Agency Self-Assessment Checklist

B.4.e. Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?



X

Yes, The Director of Equal Opportunity ensures that all annual refresher training is completed by requiring a copy of the certificate of completion.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills				
B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:					
B.5.a.1. EEO complaint process? [see MD-715(II)(B)]		X			Yes. All new supervisors receive training on the EEO complaint process.
B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]		X			Yes. Reasonable Accommodation procedure is included in the new supervisor training.
B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]		X			We created a mandatory power-point training for all employees.
B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]		X			The agency provides numerous on-line soft skill management courses to help them with interpersonal skills and communication with employees. We believe our diversity and inclusion programs helps everyone understand each other better and creates an atmosphere of inclusion.
B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]		X			Yes, we offer ADR to all complainants except sexual harassment complaints. We also created an ADR video if they want to see how ADR works.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.6. The agency involves managers in the implementation of its EEO program.				
B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]		X			Yes, the senior managers approve the time for their employees to view on-line presentations of the various programs.
B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]			X		RRB has not completed barrier analysis. nor does the agency have a process for senior managers to participate in barrier analysis. The agency is currently working on an action plan to remedy this deficiency based on EEOC Technical Assistance review and findings of our FY 2019 and FY 2020 MD-715 reports.
B.6.c. When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]				X	The agency is currently developing an action plan to remedy this deficiency based on EEOC Technical Assistance review and findings of our FY 2019 and FY 2020 MD-715 reports.

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B.6.d. Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR §1614.102(a)(5)]

X



RRB's published Strategic Plan 2022-2026 which is posted on our agency website incorporates EEO / diversity and inclusion principles. The RRB Strategic Plan states that "The RRB will continue to recruit and hire a high-performing workforce that reflects the diversity of all segments of American society.

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Essential Element: C Management and Program Accountability

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.1. The agency conducts regular internal audits of its component and field offices.			N/A	
C.1.a. Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.				X	We do not have components of the RRB.
C.1.b. Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.				X	No components of the RRB.
C.1.c. Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]				X	No components of the RRB.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.2. The agency has established procedures to prevent all forms of EEO discrimination.				
C.2.a. Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]		X			Yes. The anti-harassment policy was revised during FY2020 to comply with EEOC's enforcement guidance. It was sent to EEOC and approved in FY2020.
C.2.a.1. Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]		X			Yes it does.
C.2.a.2. Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]		X			Yes. This was the reason for the revision to our anti-harassment policy in FY2020.
C.2.a.3. Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]		X			Yes. The Anti-Harassment policy requires that an employee's conduct be immediately addressed and/or corrected whereas the EEO complaint process is designed to make individuals whole for discrimination that already occurred through damage awards and equitable relief to prevent the recurrence of the unlawful discriminatory conduct.

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<p>C.2.a.4. Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [See Enforcement Guidance, V.C.]</p>	<p>X</p>	<p>Yes. The anti-harassment complaints program moved to the Office of Administration and the EEO office informs the anti-harassment coordinator if an EEO complaint alleges discrimination due to harassment or if the complainant wants to file a separate complaint so that action may be taken immediately.</p>
<p>C.2.a.5. Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see Complainant v. Dep't of Veterans Affairs, EEOC Appeal No. 0120123232 (May 21, 2015); Complainant v. Dep't of Defense (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.</p>	<p>X</p>	<p>Yes, whenever an employee alleges harassment (whether through the anti-harassment program or through a complaint of discrimination), questions are asked to determine if immediate action (referral to the Anti-Harassment Coordination, referral for investigation, etc) is needed within the 10 day timeframe in accordance with RRB's Anti-Harassment policy.</p>
<p>C.2.a.6. Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]</p>	<p>X</p>	<p>The agency provides No FEAR Act training every other year which provides examples of harassment based on a disability. It is also covered during Reasonable Accommodation training.</p>

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C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR §1614.203(d)(3)]	X		Yes the agency's reasonable accommodation procedures comply with EEOC regulations and guidance
C.2.b.1. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR §1614.203(d)(3)(D)]	X		Yes, the RRB has a Reasonable Accommodation Coordinator in the Bureau of Human Resources who coordinates and assists managers and employees with reasonable accommodation processing requests throughout the agency and also tracks information on accommodation approvals and denials. The Office of the Inspector General processes their reasonable accommodation requests and has their own Coordinator.
C.2.b.2. Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	X		Yes, the Reasonable Accommodation Manager is in the Bureau of Human Resources and/or the Office of the Inspector General.

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<p>C.2.b.3. Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR §1614.203(d)(1)(ii)(B)]</p>	<p>X</p>		<p>Yes. Every vacancy notice includes the language "The Railroad Retirement Board Provides reasonable accommodations to applicants. If you need a reasonable accommodation for any part of the application process, please notify the Bureau of Human Resources. The decision of granting a reasonable accommodation will be on a case-by-case basis."</p>
<p>C.2.b.4. Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR §1614.203(d)(3)(i)(M)]</p>	<p>X</p>		<p>Yes. Our policy provides for 15 work days unless there are extenuating circumstances.</p>
<p>C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If "no", please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.</p>	<p>X</p>		<p>Yes, we process all accommodations requests within the time frame set forth in our reasonable accommodation procedure.</p>
<p>C.2.c. Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR §1614.203(d)(6)]</p>	<p>X</p>		<p>Yes, we have established procedures for processing requests for personal assistance services that comply with EEOC's regulations, etc. in the Reasonable Accommodation Policy.</p>
<p>C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If "yes", please provide the internet address in the comments column.</p>	<p>X</p>		<p>Yes, it is included in the Reasonable Accommodation Policy which is posted on rrb.gov.</p>

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.				
	C.3.a. Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	X			Yes, the performance appraisals for senior executives (SES) contain an EEO element. An EEO sub-element was adopted in 2020 and implemented in the performance appraisals of all agency managers during FY 2021 (October 2020).
	C.3.b. Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:				
	C.3.b.1. Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]	X			Yes, under the new EEO sub-element implemented in FY 2021.
	C.3.b.2. Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]	X			Yes, under the new EEO sub-element implemented in FY2021.
	C.3.b.3. Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]	X			Yes, under the new EEO sub-element implemented in FY 2021.
	C.3.b.4. Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]	X			Yes, under the new EEO sub-element implemented in FY2021.
	C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	X			Yes, under the new EEO sub-element implemented in FY2021.
	C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]	X			Yes, under the new EEO sub-element implemented in FY2021.

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C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]	X		Yes, under the new EEO sub-element implemented in FY2021.
C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]	X		Yes, under the new EEO sub-element implemented in FY2021.
C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]	X		Yes, under the new EEO sub-element implemented in FY2021.
C.3.c. Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]	X		Yes, the OEO Director can always brief the Board and provide recommendations for its consideration.
C.3.d. When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]			X We did not recommend any remedial or disciplinary actions during FY2021.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.4. The agency ensures effective coordination between its EEO program and Human Resources (HR) program.				
	C.4.a. Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	X			We meet to assess all personnel programs, policies and procedures to ensure conformity with EEOC laws, instructions and Management Directives.
	C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/ personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]		X		We do not have established timetables/ schedules to review those programs. However, the OEO Director and HR Director are working on a plan to formalize a schedule and procedures for trigger identification for implementation in FY 2022.
	C.4.c. Does the EEO office have timely access to accurate and complete data (e.g., demographic data for the workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]	X			OEO receives monthly and annual spreadsheets of workforce demographics from the Bureau of Human Resources. OEO also downloads applicant data annually from Applicant Flow Data provided by OPM. OEO is also provided information on training programs annually by Human Resources.

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C.4.d. Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	X		Climate assessment survey information is shared with OEO. Grievance data is not normally shared because OEO has not asked for it. RRB did not collect exit interview data in FY 2021. As part of the agency's IT Modernization rollout plan, RRB now has an exit survey which went live via Microsoft Forms in FY 2022 and OEO plans to ask HR for this data to conduct workforce analysis.
C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:			
C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	X		Yes, this Plan is approved by the Director of Administration who is over HR. The Plan was shared with the Executive Committee.
C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	X		
C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X		
C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]		X	The OEO Director and HR Director are currently working on a plan of action to formalize procedures for barrier analysis and trigger identification. OEO and HR staff need training on barrier analysis in order to carry out this task.
C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]	X		Yes, HR supplied and uploaded the Status and Dynamics files for the MD-715 in FY 2021.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.				
	C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]	X			The RRB does not have a stand-alone disciplinary policy or table of penalties. Douglas Factor considerations are taken into account by both our proposing and deciding officials when considering adverse actions for employee misconduct.
	C.5.b. When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	X			Yes, we have not had a finding of discrimination but if we do, the agency supports discipline or sanction for managers and employees for discriminatory conduct.
	C.5.c. If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct (e.g., post mortem to discuss lessons learned)? [see MD-715, II(C)]	X			Yes, the RMO is advised if their actions were inappropriate,

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.6. The EEO office advises managers/supervisors on EEO matters.				
	C.6.a. Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.	X			Yes, the Office of Equal Opportunity provides a monthly report outlining the number of complaints and special emphasis program updates. This report can be seen by all Senior management.
	C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	X			Yes, we have trained and experienced EEO officials that are readily available to address EEO concerns from managers and supervisors.

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Essential Element: D Proactive Prevention

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.				
D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]		X			Yes, we review all RMOs named in complaints as well as the basis(es) for a trend. We also review all races, disability status and ages of those promoted and hired every month.
D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]		X			Yes, we use workforce data, harassment complaint data and special emphasis programs. The plan in FY 2022 for OEO staff to start reviewing grievance data,
D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]		X			RRB did not conduct exit interviews in FY 2021. However as part of the agency's IT Modernization rollout plan, the agency now has an exit survey in use as of FY 2022.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)				
	D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	X			Yes, OEO analyzes the promotions, hiring and separation data for possible barriers that may impact minorities and/or people with disabilities, but have found none to date.
	D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	X			
	D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	X			Yes, over the past five years, we had one reorganization and no impact on any specific group was identified.
	D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.	X			Yes, OEO reviews complaint data, anti-harassment data, program evaluations and special emphasis programs for barriers. Beginning in FY 2022, OEO plans to review exit survey and grievance data.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.3. The agency establishes appropriate action plans to remove identified barriers.				
	D.3.a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	X			Yes, we have not identified any barriers in policies, procedures or practices. If we did, we would inform the Board members and their assistants and speak with the department head on the barrier the policy created and remove/revise the policy.
	D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]			X	We did not identify a barrier during FY2021.
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]			X	We have not had one to test.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.				
	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.	X			Yes, https://www.rrb.gov/Resources/OfficeOfEqualOpportunity/EEOPolicies .
	D.4.b. Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR §1614.203(d)(1)(i)]	X			Yes. We send our vacancy announcements to many organizations that assist people with disabilities get back into the workforce. Also, if an accommodation is needed, contact information is on the vacancy announcement.
	D.4.c. Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR §1614.203(d)(1)(ii)(A)]	X			Yes, an HR Specialist, the Selective Placement Coordinator, is assigned to this task.
	D.4.d. Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR §1614.203(d)(7)(ii)]	X			Yes. We send our vacancy announcements to many organizations that assist people with disabilities get back into the workforce. Also, if an accommodation is needed, contact information is on the vacancy announcement.

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Agency Self-Assessment Checklist

Essential Element: E Efficiency

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.				
E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?		X			
E.1.b. Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?		X			Yes, we provide a Rights and Responsibilities Booklet to everyone who contacts us and is interested in filing a complaint of discrimination.
E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?		X			Yes, we issue acknowledgement letters within 5 work days.
E.1.d. Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.		X			Yes, we issue acceptance letters/dismissal decisions within 15 business days after the filing date of a formal complaint. The Counselor's report is sent to the Complainant if they file a formal complaint with the acceptance letter but prior to any dismissal decision.
E.1.e. Does the agency ensure that all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?		X			
E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?		X			Yes, within 180 days
E.1.g. If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?		X			Yes.
E.1.h. When the complainant did not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?		X			
E.1.i. Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?		X			

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<p>E.1.j. If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.</p>	<p>X</p>		<p>Yes. As part of their contract expectations, we advise contractors in writing that their fee may be reduced for a late or poor work product.</p>
<p>E.1.k. If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]</p>	<p>X</p>		<p>Yes, we only use employees as Collateral Duty EEO Counselors and we provide input on their performance appraisals as to how they handled their assignments.</p>
<p>E.1.l. Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]</p>	<p>X</p>		

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.2. The agency has a neutral EEO process.				
E.2.a. Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If "yes", please explain.		X			There is a firewall between the EEO function and the agency's defensive function (OGC). OGC is not involved in the process until the Complainant requests a hearing. At that point, we provide OGC with the complaint file and post their name and contact info on FedSEP.
E.2.b. When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/ location of the attorney who conducts the legal sufficiency review in the comments column.		X			Yes, OEO independently conducts all sufficiency reviews.
E.2.c. If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]				X	OEO conducts all sufficiency reviews. OEO does not rely on the agency's defensive function (OGC) for sufficiency reviews.
E.2.d. Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]		X			Yes, OGC is not contacted until the Complainant requests a hearing. If Complainant request a final agency decision, OEO writes the decision.

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E.2.e. If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? [see EEOC Report, Attaining a Model Agency Program: Efficiency (Dec. 1, 2004)]


X

OEO conducts sufficiency reviews and completes them within 10 business days to ensure timely processing of complaints.

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 Compliance Indicator	Measures	Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.	X			Yes. Complainants are advised they can request ADR (Mediation) during the informal and the formal complaint process.
E.3.b. Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]		X			Yes, managers are required to participate.
E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]		X			Yes, the agency encourages employees to use ADR for EEO and non-EEO complaints.
E.3.d. Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]		X			Yes.
E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]		X			Yes. If the Responsible Management Official (RMO) is the Director of the Department, we try to have another Senior Executive sit in on the mediation with settlement authority. Of course, they still must consult with the director of that department.
E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]		X			Yes, we do monitor how many resulted in settlements and/or ended in no agreements, where the Complainant did not pursue the complaint.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program.				
E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data:					
E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]		X			Yes. OEO enters all complaint information on an EXCEL worksheet to compare cases on their bases, issues and the RMO involved.
E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]		X			Yes, all info is entered on an EXCEL spreadsheet for comparability.
E.4.a.3. Recruitment activities? [see MD-715, II(E)]		X			Yes, OEO monitors all accessions. Vacancy postings are listed on usajobs.gov. We also send vacancy announcements to organizations assisting people with disabilities and veterans trying to re-enter the workforce.
E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]		X			Yes, we do this annually but will start reviewing data throughout the year.

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E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]	X		Yes, OEO created the Reasonable Accommodation policy but the Reasonable Accommodation Coordinator (RAC) is in the Bureau of Human Resources. The RAC provides an annual report of approved, denied, changed reasonable accommodations and the cost to the agency.
E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	X		Yes. The Office of Administration processes complaints of harassment but provides a monthly report to OEO on whether a complaint was filed and when it was closed. The Anti-Harassment Coordinator and the OEO works together to ensure that the time-frames are met.
E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	X		Yes, we use the Federal Employee Viewpoint Survey.

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 Compliance Indicator		Measure Has Been Met			
 Measures	E.5. The agency identifies and disseminates significant trends and best practices in its EEO program.	Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
E.5.a. Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			Yes, we constantly review the EEO program to determine whether the agency is meeting its obligations.
E.5.b. Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			Yes, the OEO Director is a member of the small agency council and we regularly share best practices.
E.5.c. Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]		X			Yes, we informally compare our EEO process and programs to other agencies within the small agency council.

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Agency Self-Assessment Checklist





Essential Element: F Responsiveness and Legal Compliance

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.				
	F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	X			Yes, OEO ensures agency timely complies with any and all EEOC orders/directives and final agency actions.
	F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	X			Yes, both management and the complainant are advised to contact OEO if an agreement is not followed.
	F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	X			Yes, OGC approves any monetary settlements and OEO follows up to ensure HR processes payments timely.
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X			Yes, OEO receives a copy of the settlement to ensure compliance.
	F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.	Yes	No	N/A	
	F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	X			Yes.
	F.2.a.1. When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	X			Yes, when OEO receives a request for a hearing notice, we immediately download the complaint file to FedSEP portal.
	F.2.a.2. When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	X			
	F.2.a.3. When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	X			Yes.
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	X			Yes.
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	F.3. The agency reports to EEOC its program efforts and accomplishments.	Yes	No	N/A	
	F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	X			Yes, by March 30 every year.
	F.3.b. Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	X			Yes, by the 15th of the month following the end of the quarter

Essential Element: O Other

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Plan to Attain Essential Elements

PART H.1

Brief Description of Program Deficiency: A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If "yes", provide one or two examples in the comments section. .

Does the agency provide recognition to employees, supervisors, managers and units who demonstrate superior accomplishment in equal opportunity.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2020	12/15/2022		10/01/2021	To recognize employee, supervisors, managers and units that demonstrate superior accomplishments in equal employment opportunity by including an EEO element in their performance appraisal.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of Human Resources	Nancy Bitzer	Yes
Director of Equal Opportunity	Pamela Tate	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
10/01/2020	The sub-element was added to all managers performance appraisals beginning 10.1.2020.	Yes		09/30/2020

Accomplishments

Fiscal Year	Accomplishment
2021	The EEO sub-element was added to all managers performance appraisals for FY21. Thus, the performance expectations issued to RRB managers in October 2021 (FY 2022) contain an EEO sub-element

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Plan to Attain Essential Elements

PART H.2

Brief Description of Program
Deficiency:

B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]

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Plan to Attain Essential Elements

PART H.3

Brief Description of Program
Deficiency:

B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]

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Plan to Attain Essential Elements

PART H.4

Brief Description of Program Deficiency: B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]

Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology and other workforce issues?

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/28/2020	01/31/2021		05/01/2020	To have the EEO Director participate in senior-level staff meetings concerning personnel, budget, technology and other workforce issues.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of Equal Opportunity	Pamela Tate	Yes
Director of Equal Opportuniry	Pamela Tate	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
10/01/2020	The EEO Director will participate in conference calls with the Senior Executive Member and be briefed on all Executive Committee discussions concerning personnel, budget, technology and other workforce issues.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2020	The EEO Director met with the Executive Committee (EC) during FY2019 and expressed the need for her to be included on policies effecting personnel, budget, technology and other workforce issues. The EEO Director was not trying to be apart of the EC meetings but wanted the opportunity to review and provide input prior to policy changes, revisions, and/or implementations. The EC agreed and said that they would contact the EEO Director in the near future.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/28/2020	01/31/2021		01/18/2022	Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology and other workforce issues?

Responsible Officials

Title	Name	Standards Address the Plan?
Director Equal Opportunity	Shiri Ndang	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
05/01/2020	For the EEO Director to be apart of Senior Level meetings on hiring workforce, technology, etc.	Yes	10/01/2021	

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Plan to Attain Essential Elements

Accomplishments

Fiscal Year	Accomplishment
2021	<p>The previous Director of EEO met with the Executive Committee (EC) during FY2019 and expressed the need to be included on policies effecting personnel, budget, technology and other workforce issues. The EC agreed and said that they would contact the EEO Director in the future. During COVID-19 pandemic in FY2020, the previous EEO Director was sent policies to review prior to implementation.</p> <p>In FY 2021, the Senior Executive Committee Members had weekly conference call meetings with the Director of EEO to keep her updated on all senior level meetings concerning personnel, budget, technology and other workforce issues .</p> <p>However in FY 2022, the new EEO Director begun attending board meetings and has recurring bi-weekly meetings with the agency's Senior Executive Officer (SEO).</p>

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Plan to Attain Essential Elements

PART H.5

Brief Description of Program
Deficiency:

C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]

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Plan to Attain Essential Elements

PART H.6

Brief Description of Program Deficiency:	C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]
--	--

Establishment of timetables/schedules to review the merit promotion program,, employee recognition awards program, employment development/training programs, personnel policies, procedures and practices for systemic barriers that may impede full participation in the program by all EEO groups.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2020	10/01/2023			To establish schedules to review the agency's 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 b all EEO groups?

Responsible Officials

Title	Name	Standards Address the Plan?
Director, Office of Equal Opportunity (OEO)	Shiri Ndang	Yes
Human Resources Director	Nancy Bitzer	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	<p>June/July 2022 - Barrier analysis training for RRB OEO staff with MD-715 and data collection/analysis responsibilities.</p> <p>Sept 2022 - Establishment of a Barrier Analysis Workgroup to investigate barriers to EEO by RRB employees (hiring, retention & career development/advancement). Purpose of the workgroup is to leverage EEO data RRB-wide to conduct a comprehensive trigger analysis.</p> <p>Oct 2022 – Barrier Analysis Workgroup conducts its 1st quarter FY 2023 meeting to identify its priorities.</p>	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.7

Brief Description of Program Deficiency: D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]

Does the agency conduct exit surveys.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2021	10/01/2022			Meet with the Director of HR about re-establishing Exit Surveys.

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Pamela M. Tate	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
04/01/2021	Contacted the Director of HR to discuss the re-establishment of Exit Surveys and was informed that they (HR) has already begun the process to re-establish it. Will follow-up.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
10/01/2021	10/01/2022		01/25/2022	Meet with the Director of HR about re-establishing exit surveys

Responsible Officials

Title	Name	Standards Address the Plan?
EEO Director	Shiri Ndang	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date

Accomplishments

Fiscal Year	Accomplishment
2022	As part of RRB's IT Modernization rollout plan, the agency has re-established its exit survey which went live in mid-January 2022 via Microsoft Forms.

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Plan to Eliminate Identified Barriers

MD-715 – Part J
Special Program Plan
for the Recruitment, Hiring, Advancement, and
Retention of Persons with Disabilities

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

Section I: Efforts to Reach Regulatory Goals

EEOC regulations (29 CFR §1614.203(d)(7)) require agencies to establish specific numerical goals for increasing the participation of persons with disabilities and persons with targeted disabilities in the federal government

1. Using the goal of 12% as the benchmark, does your agency have a trigger involving PWD by grade level cluster in the permanent workforce? If “yes”, describe the trigger(s) in the text box.

- | | | |
|-------------------------------|--------|----|
| a.Cluster GS-1 to GS-10 (PWD) | Answer | No |
| b.Cluster GS-11 to SES (PWD) | Answer | No |

During FY 2021, RRB had a total of 837 permanent employees of which 192 (22.93 percent) were employees with a disability. There are 295 permanent employees in grades GS-1 through 10 positions. Of the 295 employees in grades GS-1 through 10 positions, 94 (11.23 percent) stated that they have a disability. Of the 542 employees in grades GS -11 through SES, a total of 98 (11.70 percent) indicated that they had a disability. Disability workforce data is employees who self-identify as having a disability.

*For GS employees, please use two clusters: GS-1 to GS-10 and GS-11 to SES, as set forth in 29 C.F.R. § 1614.203(d) (7). For all other pay plans, please use the approximate grade clusters that are above or below GS-11 Step 1 in the Washington, DC metropolitan region.

2. Using the goal of 2% as the benchmark, does your agency have a trigger involving PWTD by grade level cluster in the permanent workforce? If “yes”, describe the trigger(s) in the text box.

- | | | |
|--------------------------------|--------|-----|
| a.Cluster GS-1 to GS-10 (PWTD) | Answer | Yes |
| b.Cluster GS-11 to SES (PWTD) | Answer | Yes |

Based on the utilization analysis of the RRB workforce, our agency does not have triggers for in its overall permanent workforce when compared to the 2 percent regulatory onboard goal. In FY 2021, the total number and percentage of Persons with Targeted Disabilities (PWTDs) in RRB's permanent workforce is 22 (2.6 percent). However when calculated by grade, RRB does have triggers in both clusters in the permanent workforce when compared to the 2 percent regulatory onboard goal. In FY 2021, PWTDs participated at a rate of 1.4 percent (12) in the GS-1 to GS-10 cluster and 1.2 percent (10) in the GS-11 to SES grade clusters nearly meeting the 2 percent regulatory goal.

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

The agency communicated the numerical goals to the hiring officials through its Plan for Increasing and Maintaining the Employment of Individuals with Disabilities. This Plan was shared with the Executive Committee who disseminated it to their staff with hiring authority. In FY 2021, RRB hired a total of 69 new employees. A total of 35 (51 percent) listed a disability (PWD) and 34 (49 percent) did not identify or listed as having a disability. Of the 35 new hires identifying that they have a disability, a total of 2 individuals (3 percent) identified their disability as a targeted disability (PWTD).

Section II: Model Disability Program

Pursuant to 29 C.F.R. § 1614.203(d)(1), agencies must ensure sufficient staff, training and resources to recruit and hire persons with disabilities and persons with targeted disabilities, administer the reasonable accommodation program and special emphasis program, and oversee any other disability hiring and advancement program the agency has in place.

A. PLAN TO PROVIDE SUFFICIENT & COMPETENT STAFFING FOR THE DISABILITY PROGRAM

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

Answer Yes

Human Resources has designated a HR Specialist to assist in improving the staffing of people with disabilities by contacting different organizations assisting people with disabilities to re-enter the workforce. We send all vacancy announcements to these organizations. We also have the Employees with Disabilities Advisory Council (EDAC) who assists in finding organizations that assist people with disabilities.

2. Identify all staff responsible for implementing the agency's disability employment program by the office, staff employment status, and responsible official.

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Processing reasonable accommodation requests from applicants and employees	0	0	1	Regina Block HR Specialist/Labor Relations Regina.Block@rrb.gov
Answering questions from the public about hiring authorities that take disability into account	0	0	1	Meghan O'Connor Lead HR Specialist/Selective Placement Coordinator Meghan.O'Connor@rrb.gov
Processing applications from PWD and PWTD	0	0	1	Meghan O'Connor Lead HR Specialist/Selective Placement Coordinator Meghan.O'Connor@rrb.gov
Section 508 Compliance	0	0	1	Robert LaBerry Supvy IT Specialist Robert.Laberry@rrb.gov
Architectural Barriers Act Compliance	0	0	1	Scott Rush Supvy Facility Operations Specialist Scott.Rush@rrb.gov
Special Emphasis Program for PWD and PWTD	0	0	1	Kathy Robinson EEO Specialist Kathy.Robinson@rrb.gov

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

Answer Yes

During FY 2021, staff attended FDR training (virtual) which covered several EEO topics including reasonable accommodation and also completed “The Changing Reality of Disability in America” video training which re-examined the experience of disability in America by illuminating the stories of those who are all too often left behind in society and the workplace. The agency plans to provide Reasonable Accommodation training to all RBB managers and supervisors in FY 2022.

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

We have a Selective Placement Coordinator in Human Resources who ensures we have a contact person at various disability organizations so we can advise them of all vacancy announcements being posted to usajobs.gov. This will ensure that people with disabilities are advised of our job openings. The Selective Placement Coordinator also provides assistance to disabled applicants or applicants seeking an accommodation.

Section III: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

RRB is committed to creating and maintaining a workplace culture that embraces inclusive diversity as a critical business imperative that cultivates a high-performing organization. Internally, RRB has three (3) Special Emphasis Programs (SEP) that are recognized to advance inclusive diversity and improve communication between employees and management across the agency. Externally, OEO since FY 2020 has worked with the Bureau of Human Resources office to establish and maintain contacts with eleven organizations that assist PWDs and PWTDs. These organizations include the Chicago Lighthouse, Aspire Non-Profit, Trinity Services, Inc., Search, Inc., Goodwill Chicago, America Works, the City of Chicago, the Department of Human Services, Independent Living and Transition Advocate Progress Center, and Southwest American Job Center. We send our vacancy notices to them and in turn they disseminate the information to clients being serviced by their organization.

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

The RRB is restricted in its use of special appointment authorities based on the Railroad Retirement Act (RRA) and the Railroad Unemployment and Insurance Act (RUIA). Both the RRA and the RUIA mandate that all positions within the RRB must be in the competitive service with the exception of only 3 positions (assistant to Board Members). The agency is therefore restricted in its use of special appointment authorities and is limited to authorities that permit non-competitive hiring into competitive service positions. The RRB does not have the ability to use Schedule A hiring authority (non-competitive hiring) as it is an excepted service authority and our establishing legislation prohibits the use of most excepted service authorities, including Schedule A. This response stems from the Powers and Duties of the Board section of the RRA of 1974. The specific language is located in 45 USC 231f(b)(9). Nevertheless, our agency has created work-arounds for this limitation to comply with other OMB rules, such as hiring attorneys, students, and recent graduates as excepted service.

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.

Individuals do not apply for a position under a hiring authority that takes disability into account because we do not have authority to hire under these special authorities as stated above.

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 N/A

We do not have hiring authority under Schedule A and therefore, no training is provided on Schedule A. The RRB does not have the ability to use Schedule A hiring authority (non-competitive hiring) as it is an excepted service authority and our establishing legislation prohibits the use of most excepted service authorities, including Schedule A. This response stems from the Powers and Duties of the Board section of the RRA of 1974. The specific language is located in 45 USC 231f(b)(9). Nevertheless, our agency has created work-arounds for this limitation to comply with other OMB rules, such as hiring attorneys, students, and recent graduates as excepted service.

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.

Internally, RRB has an Employees with Disabilities Advisory Council (EDAC), which serves as an advocate and catalyst for change and also helps to provide strategic direction. Externally, RRB engages with various related Affinity Groups. Since FY2020, OEO has worked with our Human Resources office to establish and maintain contacts with eleven organizations that assist PWDs and PWTDs. These organizations include the Chicago Lighthouse, Aspire Non-Profit, Trinity Services, Inc., Search, Inc., Goodwill Chicago, America Works, the City of Chicago, the Department of Human Services, Independent Living and Transition Advocate Progress Center, and Southwest American Job Center. We secured a designated contact person including their email address and telephone number at each of these organizations. We send our vacancy notices to them and in turn they disseminate the information to clients being serviced by their organization.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

- | | | |
|---|--------|----|
| a. New Hires for Permanent Workforce (PWD) | Answer | No |
| b. New Hires for Permanent Workforce (PWTD) | Answer | No |

RRB hired a total of 69 new employees in FY 2021. In FY 2021, RRB hired a total of 69 new employees. A total of 35 (51 percent) listed a disability (PWD) and 34 (49 percent) did not identify or listed as having a disability. Of the 35 new hires identifying that they have a disability, 2 or 3 percent identified their disability as a targeted disability (PWTD). Disability workforce data includes employees who self-identify as having a 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. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- | | | |
|-----------------------------|--------|----|
| a. New Hires for MCO (PWD) | Answer | No |
| b. New Hires for MCO (PWTD) | Answer | No |

Of the 69 new employees hired in FY 2021, 44 (64 percent) of the new hires were in the agency's mission critical occupations (MCO). RRB has two mission critical occupations (MCO): 2210 and 0993. Three (3) individuals were hired in the 2210 MCO. A total of one (1) employee hired under MCO 2210 listed a disability but did not want to identify it (33 percent). A total of forty-one (41) individuals were hired in the 0993 MCO. A total of twenty-four (24) hired under MCO 0993 self-identified as having a disability (58.5 percent), 19 of the 24 did not want to identify their disability, one (1) indicated that their disability was not listed, two (2) were regular disabilities and one (1) new hire has a targeted disability (2.4 percent). Disability workforce data involves employees who self-identify as having a disability.

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

- | | | |
|--|--------|----|
| a. Qualified Applicants for MCO (PWD) | Answer | No |
| b. Qualified Applicants for MCO (PWTD) | Answer | No |

In FY 2021, a total of seven (7) internal applicants applied for promotion in the MCO 0993. A total of six (6) applicants did not wish to identify as having a disability or targeted disability zero and a total of one (1) stated that they did not have a disability. In FY 2021, a total of fifteen (15) internal applicants applied for promotions in the MCO 2210. A total of eleven (11) applicants did not wish to identify as having a disability or targeted disability and a total of one (1) stated that they did not have a disability. Since RRB disability workforce data involves employees who self-identify as having a disability, this may or may not be a trigger, but OEO will continue to monitor the statistics and hiring trends.

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

- a. Promotions for MCO (PWD) Answer No
- b. Promotions for MCO (PWTD) Answer No

In FY 2021, the agency had a total of 62 internal promotions for MCO 0993 and 15 internal promotions for MCO 2210. Under MCO 0993, a total of 20 or 32.3 percent of internal applicants who identified as having a disability (PWD) were promoted in FY 2021. Under MCO 0993, a total of 2 or 3.2 percent of internal applicants who identified as having a targeted disability (PWTD) were promoted in FY 2021. Under MCO 0993, a total of 40 or 64.5 percent of internal applicants stated that they did not have a disability were promoted in FY 2021. Under MCO 2210, a total of 3 or 20 percent of internal applicants who identified as having a disability (PWD) were promoted. Under MCO 2210, a total of 0 internal applicants who identified as having a targeted disability (PWTD) were promoted. Under MCO 2210, a total of 12 or 80 percent of internal applicants stated that they did not have a disability were promoted. Since RRB disability workforce data involves employees who self-identify as having a disability, this may or may not be a trigger, but OEO will continue to monitor the statistics and promotion trends.

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 managers and supervisors are encouraged to promote the career development of all employees, including individuals with disabilities and individuals with targeted disabilities. OEO continues to promote workplace diversity goals and opportunities through the Employees with Disabilities Advisory Council (EDAC).

B. CAREER DEVELOPMENT OPPORTUNITES

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

In FY 2021, RRB offered various ways for employees to further their career goals. RRB employees have access to training/career development courses through the following means: • RRB University is the agency’s learning management system (LMS) and the official system of record for all training and development records. The system delivers both mandatory and developmental training assignments and opportunities. RRB University’s learning resources can also be used as quick references, as practical job aids to gain in-depth knowledge, or to practice skills. • Treasury Executive Institute (TEI) – In partnership with the Department of Treasury, RRB routinely promotes the use of the TEI for leadership development for GS 14s, GS 15 and SES. TEI’s leadership development programs align with the Office of Personnel Management (OPM) Executive Core Qualifications (ECQ) and their supporting competencies. In addition, TEI provides coaching, a powerful tool for any RRB manager seeking to develop others and maximize employee performance and engagement. • On a yearly basis, the RRB also encourages all employees complete and submit to their supervisor an Individual Development Plan (IDP). The RRB hosts workshops and opportunities for any employee interested in participating in the IDP process.

2. In the table below, please provide the data for career development opportunities that require competition and/or supervisory recommendation/approval to participate.

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (#)	Selectees (#)	Applicants (#)	Selectees (#)
Fellowship Programs	0	0	0	0	0	0
Other Career Development Programs	0	0	0	0	0	0
Training Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Coaching Programs	0	0	0	0	0	0
Internship Programs	0	0	0	0	0	0
Detail Programs	0	0	0	0	0	0

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

- a. Applicants (PWD) Answer N/A
- b. Selections (PWD) Answer N/A

RRB did not offer a formal career development program in FY 2021. However, RRB continued to encourage the use of the RRB University and Treasury Executive Institute (TEI) as career development tools and resources and these will be reflective in our FY2022 responses. Beginning in FY 2022, RRB will begin to collect data from our agency’s learning management system (RRB University) and TEI to identify qualifying career development course completion. Using data from our human resources system(s) to obtain personnel attributes, RRB will then identify and match the total number of employees who participated in those career development courses to produce a report that complies with the MD-715. Depending on FY 22 and FY 23 funding, RRB may expand to capture data that includes internships and mentoring, in order to facilitate analyses of usage and potential barriers.

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

- a. Applicants (PWTD) Answer N/A
- b. Selections (PWTD) Answer N/A

RRB did not offer a formal career development program in FY 2021. However, RRB continued to encourage the use of the RRB University and Treasury Executive Institute (TEI) as career development tools and resources. Beginning in FY 2022, RRB will begin to collect data from our agency's learning management system (RRB University) and TEI to identify qualifying career development course completion. Using data from our human resources system(s) to obtain personnel attributes, RRB will then identify the total number of employees who participated in those career development courses to produce a report that complies with the MD-715.

C. AWARDS

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

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

During FY 2021, RRB issued seventy-five (75) time-off awards and twenty-nine (29) non-performance based awards (includes suggestion awards, group awards, cash awards not based on performance) totaling 104 awards. A total of twenty-one (21) employees (20.2 percent) listed a disability and zero (0) or 0 percent listed a targeted disability. Therefore, the inclusion rate for PWDs is 20.2 percent and 0 percent for PWTDs. This may or may not be a trigger since the statistics are based on self-identification but the agency will continue to monitor. A total of 83 or 80 percent of the 104 recipients of time-off and non-performance based awards stated that they did not have a disability.

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

- a. Pay Increases (PWD) Answer No
- b. Pay Increases (PWTD) Answer No

During FY 2021, a total of one hundred and seven (107) employees received a quality step increase and five hundred and twenty-eight (528) received a performance based incentive award for a total of six hundred and thirty-five (635) employees. A total of one hundred twenty-one (121) or 19.1 percent of these employees listed a disability. Of the 635 employees receiving performance-based awards, seventeen (17) or 2.7 percent listed a targeted disability. Of the 635 employees receiving performance-based awards, a total of 514 or 80.9 percent of the recipients stated that they did not have a disability. Therefore, the inclusion rate for PWDs is 19.1 percent and PWTDs is 2.7 percent. This may or may not be a trigger since the statistics are based on self-identification but the agency will continue to monitor.

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

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

The RRB does not have any additional recognition programs other than those listed above.

D. PROMOTIONS

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

- a. SES
 - i. Qualified Internal Applicants (PWD) Answer 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	No

It should be noted that RRB generally announces job vacancies government-wide to expand the applicant pool and recruit the best talent into the agency. As a result, the current RRB workforce or a subset of it (employees in an MCO, employees at next lower grade level, and so forth) might not be a relevant applicant pool. Identifying which current RRB employees would qualify for a job series they are not currently in is a difficult undertaking. The Bureau of Human Resources does not adjudicate applicant qualifications until an applicant applies for a specific position. The applicant may qualify based on experience obtained prior to entry into their current job series or RRB. During FY 2021, no employee was promoted into an SES position. A total of seven (7) employees applied and qualified for a GS-15 position. One (1) identified as having a disability and none (0) identified as having a targeted disability. A total of six (6) employees applied and qualified for a GS-14 position. One (1) identified as having a disability and none (0) identified as having a targeted disability. A total of four (4) employees applied and qualified for a GS-13 position. All reported no disability.

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

a. SES		
i. Qualified Internal Applicants (PWTB)	Answer	N/A
ii. Internal Selections (PWTB)	Answer	N/A
b. Grade GS-15		
i. Qualified Internal Applicants (PWTB)	Answer	N/A
ii. Internal Selections (PWTB)	Answer	N/A
c. Grade GS-14		
i. Qualified Internal Applicants (PWTB)	Answer	N/A
ii. Internal Selections (PWTB)	Answer	N/A
d. Grade GS-13		
i. Qualified Internal Applicants (PWTB)	Answer	N/A
ii. Internal Selections (PWTB)	Answer	N/A

During FY2021, none of the internal applicants for GS-13, GS-14, GS-15 or SES positions reported a targeted disability. One internal applicant for GS-14 position identified as having a disability. One internal applicant for a GS-15 position also identified as having a disability. Many applicants did not want to identify their disability so we do not know if they had a targeted disability or not. The data does not trigger a barrier 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. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires to SES (PWD)	Answer	No
b. New Hires to GS-15 (PWD)	Answer	No
c. New Hires to GS-14 (PWD)	Answer	No
d. New Hires to GS-13 (PWD)	Answer	N/A

During FY 2021, RRB hired four (4) new employees (external hires) into an SES position. A total of three (3) new SES hires identified as having a disability. None (0) identified as having a targeted disability. RRB hired one (1) individual for a GS-15 position. This employee identified as having a disability, but did not identified as having a targeted disability. RRB hired four (4) individuals for GS-14 positions. All reported no disability. During FY 2021, RRB did not hire any new employees into a GS-13 position. We do not believe the data is large enough to trigger a barrier analysis.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTB among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. New Hires to SES (PWTB) Answer No
- b. New Hires to GS-15 (PWTB) Answer No
- c. New Hires to GS-14 (PWTB) Answer No
- d. New Hires to GS-13 (PWTB) Answer N/A

During FY 2021, RRB hired four (4) new employees into an SES position. A total of three (3) new SES hires identified as having a disability (PWD). None (0) identified as having a targeted disability (PWTB). RRB hired one (1) individual for a GS-15 position. This employee identified as having a disability (PWD), but did not identified as having a targeted disability (PWTB). RRB hired four (4) individuals for GS-14 positions. All reported no disability. During FY 2021, RRB did not hire any new employees into a GS-13 position. Since RRB does not have hiring authority under Schedule A and the new hires are small in number, we do not see a trigger to support a barrier 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. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Executives
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No
- b. Managers
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No
- c. Supervisors
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No

During FY 2021, RRB did not hire any internal applicants into a SES position. All four (4) hires in SES positions were external hires. Two (2) internal applicants who applied for an SES position but were not selected. Of the ten (10) internal applicants who applied for a supervisory/management position at the GS-13 through GS-15 level, a total of 3 or 30 percent qualified and were selected during FY 2021. Two (2) of the internal applicants identified as having a disability (PWD) but zero (0) internal applicant(s) with a disability qualified and was selected for a GS-13 through GS-15 position. Zero (0) internal applicants for a GS-13 through GS-15 position reported having a targeted disability (PWTB). Please note that the Applicant Flow Data system could not separate the supervisors from the managers, therefore all management positions were included together under supervisors.

6. Does your agency have a trigger involving PWTB among the qualified internal applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

- a. Executives
 - i. Qualified Internal Applicants (PWTB) Answer No

ii. Internal Selections (PWTD)	Answer	No
b. Managers		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	No
c. Supervisors		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	No

During FY 2021, RRB did not hire any internal applicants into a SES position. All four (4) hires in SES positions were external hires. During FY 2021, a total of ten (10) internal applicants applied for a supervisory/management position at the GS-13 through GS-15 level. During FY 2021, a total of three (3) qualified and were selected for a supervisory/management position at the GS-13 through GS-15 level. During FY 2021, a total of two (2) internal applicants identified as having a disability (PWD) and zero (0) internal applicant(s) with a disability qualified and was selected for a GS-13 through GS-15 position. A total of zero (0) internal applicants reported having a targeted disability (PWTD) and zero (0) internal applicant(s) with a PWTD qualified and was selected for a GS-13 through GS-15 position. Please note that the Applicant Flow Data system could not separate the supervisors from the managers, therefore all management positions were included together under supervisors.

7. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the selectees for new hires to supervisory positions? If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires for Executives (PWD)	Answer	No
b. New Hires for Managers (PWD)	Answer	No
c. New Hires for Supervisors (PWD)	Answer	No

During FY 2021, RRB hired four (4) new employees into an SES position. A total of three (3) new SES hires identified as having a disability. None (0) identified as having a targeted disability. RRB hired one (1) individual for a GS-15 position. This employee identified as having a disability, but did not identified as having a targeted disability. RRB hired four (4) individuals for GS-14 positions. All reported no disability. During FY 2021, RRB did not hire any new employees into a GS-13 position. We do not believe the data is large enough to trigger a barrier analysis. Please also note that the Applicant Flow Data system could not separate the supervisors from the managers, therefore all management positions were included together under supervisors.

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the selectees for new hires to supervisory positions? If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires for Executives (PWTD)	Answer	No
b. New Hires for Managers (PWTD)	Answer	No
c. New Hires for Supervisors (PWTD)	Answer	No

Of all the applicants who applied for the supervisory position in FY 2021, no one listed a targeted disability. Since the RRB cannot use Schedule A and our new hire numbers are so small, we do not see this as a trigger.

Section V: Plan to Improve Retention of Persons with Disabilities

To be model employer for persons with disabilities, agencies must have policies and programs in place to retain employees with disabilities. In this section, agencies should: (1) analyze workforce separation data to identify barriers retaining employees with disabilities; (2) describe efforts to ensure accessibility of technology and facilities; and (3) provide information on the reasonable accommodation program and workplace assistance services.

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer N/A

The agency is restricted from using Schedule A.

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

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

During FY 2021, a total of sixty-six (66) separated from RRB. Of the 66 separations, two employees were involuntarily separated and twelve employees' appointment(s) expired. Four (4) of the separated employees identified as having a disability (28.6 percent), none (0) as having a targeted disability and ten (10) did not identify as having a disability (71.4 percent). No trigger with only 4 employees to analyze whether trigger exists. Of the 66 separations, a total of fifty-two (52) employees voluntarily separated from RRB. Nineteen (19) employees who voluntarily separated identified as having a disability (36.5 percent), none (0) as having a targeted disability and thirty-three (33) did not identify as having a disability (64.5 percent).

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

- a. Voluntary Separations (PWTD) Answer No
- b. Involuntary Separations (PWTD) Answer No

During FY 2021, a total of sixty-six (66) separated from RRB. Of the 66 separations, two employees were involuntarily separated and twelve employees' appointment(s) expired. Four (4) of the separated employees identified as having a disability (28.6 percent), none (0) as having a targeted disability and ten (10) did not identify as having a disability (71.4 percent). No trigger with only 4 employees to analyze whether trigger exists. Of the 66 separations, a total of fifty-two (52) employees voluntarily separated from RRB. Nineteen (19) employees who voluntarily separated identified as having a disability (36.5 percent), none (0) as having a targeted disability and thirty-three (33) did not identify as having a disability (64.5 percent).

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.

Based on available data, no trigger existed in FY 2021. During FY 2021, a total of sixty-six (66) separated from RRB. Of the 66 separations, two employees were involuntarily separated and twelve employees' appointment(s) expired. Four (4) of the separated employees identified as having a disability (28.6 percent), none (0) as having a targeted disability and ten (10) did not identify as having a disability (71.4 percent). No trigger with only 4 employees to analyze whether trigger exists. Of the 66 separations, a total of fifty-two (52) employees voluntarily separated from RRB. Nineteen (19) employees who voluntarily separated identified as having a disability (36.5 percent), none (0) as having a targeted disability and thirty-three (33) did not identify as having a disability (64.5 percent). Analyses of the FY 2021 Statistical Report of Discrimination Complaints data and data on requests for Reasonable Accommodations were inconclusive. During FY 2021, RRB did not use or conduct exit interviews which may have helped explain why PWD and/or PWTD left the agency. As of FY 2022, the Bureau of Human Resources has reinstated the use of an exit survey.

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

Pursuant to 29 CFR §1614.203(d)(4), federal agencies are required to inform applicants and employees of their rights under Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794(b), concerning the accessibility of agency technology, and the Architectural Barriers Act of 1968 (42 U.S.C. § 4151-4157), concerning the accessibility of agency facilities. In addition, agencies are required to inform individuals where to file complaints if other agencies are responsible for a violation.

1. Please provide the internet address on the agency’s public website for its notice explaining employees’ and applicants’ rights under Section 508 of the Rehabilitation Act, including a description of how to file a complaint.

The RRB public facing website (<https://www.rrb.gov/Resources/OfficeOfEqualOpportunity/Nondiscrimination>) explains how to file a formal complaint under Section 508. Specifically, the website provides: EEO Complaint Procedure for RRB Customers A. If you are an employee of a railroad company and you believe you have been discriminated against by your employer, you must contact the Equal Employment Opportunity Commission (EEOC) in your area within 180 days of the alleged discrimination. The RRB does not have jurisdiction to process complaints against railroad employers. For information on how to file a complaint with EEOC, contact them at 1-800-669-4000 or visit www.eeoc.gov to find the office in your geographic location. B.1 If you believe that the RRB has failed to make agency programs and activities accessible to all qualified individuals with a disability, you may file a complaint under Section 504 of the Rehabilitation Act of 1973. B.2 If you believe that the RRB failed to make electronic and information technology accessible to individuals with disabilities, you may file a complaint under Section 508 of the Rehabilitation Act of 1973. Complaints alleging noncompliance under Section 504 (which prohibits discrimination on the basis of disability in agency programs and activities) or Section 508 (which requires accessibility of electronic and information technology) must be in writing and include the complainant's name, address, telephone number and a description of how the agency violated Section 504 or Section 508. The complaint must be submitted within 90 calendar days of the alleged noncompliance or the date you became aware of the noncompliance to the address below. Director - Office of Administration Railroad Retirement Board 844 N. Rush Street Chicago, IL 60611-2092

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.

The address <https://www.rrb.gov/Policy#aba> contains information on rights associated with Section 508 of the Rehabilitation Act; however, the site does not include information on how to file a related complaint.

3. Describe any programs, policies, or practices that the agency has undertaken, or plans on undertaking over the next fiscal year, designed to improve accessibility of agency facilities and/or technology.

RRB covers the 508 requirements as part of all new internally developed applications and Commercial Off-the-Shelf (COTS) purchases. Any information published on the agency's public website is checked and confirmed to be 508 compliant prior to publication. Job applications are processed through USAJOBS.

C. REASONABLE ACCOMMODATION PROGRAM

Pursuant to 29 C.F.R. § 1614.203(d)(3), agencies must adopt, post on their public website, and make available to all job applicants and employees, reasonable accommodation procedures.

1. Please provide the average time frame for processing initial requests for reasonable accommodations during the reporting period. (Please do not include previously approved requests with repetitive accommodations, such as interpreting services.)

RRB is committed to providing effective reasonable accommodations to employees and applicants with disabilities. The average time frame for processing initial requests was 30 work days or less. We received 8 reasonable accommodation requests in FY 2021. One employee submitted a request but decided to pursue disability retirement. One employee had the request approved but decided to retire. Five employees received their requested accommodations within the 60-day timeframe. One employee has not received their request to date. The top three requests: ergonomic keyboard, sit/stand desk, and ergonomic mouse. According to the Reasonable Accommodation Coordinator, the agency plans on implementing the following activities in FY 2022 – developing and disseminating information on available Reasonable Accommodation resources, as well as tracking and reporting of Reasonable Accommodation requests in the annual Individuals with Disabilities Affirmative Action Program.

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.

As noted above, RRB is committed to providing effective reasonable accommodations to employees and applicants with disabilities. During FY 2021, the agency's Reasonable Accommodation Coordinator continued to provide reasonable accommodation assistance, guidance and training to managers and supervisors regularly. The reasonable accommodation policy and procedure is very effective. Employees are able to come to the Office of Equal Opportunity (OEO) if they are not satisfied with their accommodation or they are denied an accommodation and wish to file a complaint or just talk about it. This policy is on OEO and HR internal website for all employees to read. OEO provides an annual new supervisors training. When revisions are made to the policy, a training PowerPoint is downloaded to our training module (RRB University) and we ensure all employees complete it by tracking their progress. During FY 2021, the RRB timely processed and provided approved accommodations. The Reasonable Accommodation Coordinator also continues to monitor accommodation requests for trends.

D. PERSONAL ASSISTANCE SERVICES ALLOWING EMPLOYEES TO PARTICIPATE IN THE WORKPLACE

Pursuant to 29 CFR §1614.203(d)(5), federal agencies, as an aspect of affirmative action, are required to provide personal assistance services (PAS) to employees who need them because of a targeted disability, unless doing so would impose an undue hardship on the agency.

Describe the effectiveness of the policies, procedures, or practices to implement the PAS requirement. Some examples of an effective program include timely processing requests for PAS, timely providing approved services, conducting training for managers and supervisors, and monitoring PAS requests for trends.

RRB's PAS procedure is included in the agency's Reasonable Accommodation Policy. RRB had no request for PAS in FY2021, thus no data is available on this. The PAS requirement is understood by the cohort of OEO and HR staff (including the Reasonable Accommodation Coordinator).

Section VI: EEO Complaint and Findings Data

A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer No

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

Answer No

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

The agency had no findings of discrimination alleging harassment based on a disability during FY2021.

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer No

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

Answer No

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

The RRB had no findings of discrimination involving the failure to provide a reasonable accommodation during FY2021.

Section VII: Identification and Removal of Barriers

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

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

Answer No

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

Answer N/A

3. Identify each trigger and plan to remove the barrier(s), including the identified barrier(s), objective(s), responsible official(s), planned activities, and, where applicable, accomplishments

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

N/A

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