

**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
Buffalo District**



**Management Directive 715 Report  
for Fiscal Year 2020**

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

**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

**715-01 Part F**

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

I, Judith A. Phillips, EEO Officer, 0260-12 am the Principal EEO Director/Official for U.S. Army Corps of Engineers, Buffalo District.

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.



30 OCT 2020

Date

Judith A. Phillips

EEO Officer

USACE, Buffalo District

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



30 October 2020

Date

LTC Eli S. Adams

Commander and District Engineer

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<b>EEOC FORM</b> <b>715-01</b> <b>PART A - D</b>				
<b>For period covering October 1, 2019, to September 30, 2020.</b>				
<b>PART A</b> Department or Agency Identifying Information	<b>1. Agency</b>		Army Corps of Engineers, Buffalo District	
	1.a. 2 <sup>nd</sup> level reporting component			
	1.b. 3 <sup>rd</sup> level reporting component			
	1.c. 4 <sup>th</sup> level reporting component			
	<b>2. Address</b>		1776 Niagara Street	
	<b>3. City, State, Zip Code</b>		Buffalo, NY 14207	
	<b>4. Agency Code</b>	<b>5. FIPS Code</b>	ARCE	36029
<b>PART B</b> Total Employment	1. Enter total number of permanent workforce			295
	2. Enter total number of temporary workforce			3
	<b>TOTAL Workforce [add lines]</b>			298
<b>PART C.1</b> Head of Agency and Head of Agency Designee	<b>Agency Leadership</b>		<b>Name &amp; Title</b>	
	1. Head of Agency		LTC Eli S. Adams	
	2. Head of Agency Designee			
<b>EEO Program Staff</b>		<b>Name, Title, Series, Pay Plan, Grade, Phone Number, Email Address</b>		
<b>PART C.2</b> Agency Official(s) Responsible For Oversight of EEO Program(s)	1. Principal EEO Director/Official		Judith A. Phillips	
	2. Affirmative Employment Program Manager		Judith A. Phillips	
	3. Complaint Processing Program Manager		Judith A. Phillips	
	4. Diversity & Inclusion Officer		Judith A. Phillips	
	5. Hispanic Program Manager (SEPM)		Laura Ortiz	
	6. Women's Program Manager (SEPM)		Christine Cardus	
	7. Disability Program Manager (SEPM)		LaVette Durham	

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	8. Special Placement Program Coordinator (Individuals with Disabilities)	LaVette Durham
	9. Reasonable Accommodation Program Manager	LaVette Durham
	10. Anti-Harassment Program Manager	Patrick Q. Billmann
	11. ADR Program Manager	Judith A. Phillips
	12. Compliance Manager	Judith A. Phillips
	13. Principal MD-715 Preparer	Judith A. Phillips
	14. Other EEO Staff	LaVette Durham

<b>EEOC FORM 715-01 PART A – D</b>				
<b>For period covering October 1, 2018, to September 30, 2020.</b>				
<b>PART D</b> List of Subordinate Components Covered in This Report	<b>Subordinate Component, City State, Country (Optional), Agency Code and FIPS Codes</b>		<b>Agency and FIPS Codes</b>	
<b>PART D.2</b> Mandatory and Optional Documents for this Report	<b>Did the agency submit the following documents</b>		<b>Please respond Yes or No</b>	<b>Comments</b>
	Organizational Chart (MANDATORY)		Yes	
	EEO Policy Statement (MANDATORY)		Yes	
	Strategic Plan (MANDATORY)		Yes	

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	Anti-Harassment Policy and Procedures (MANDATORY)	Yes	
	Reasonable Accommodation Procedures (MANDATORY)	Yes	
	Personal Assistance Services Procedures (MANDATORY)	No	Division-level plan is in review stages
	Alternative Dispute Resolution Program (MANDATORY)	Yes	
	Federal Equal Opportunity Recruitment Program (FEORP) Report (OPTIONAL)	Yes	
	Disabled Veterans Affirmative Action Program (DVAAP) Report (OPTIONAL)	Yes	
	Operational Plan for Increasing Employment of Individuals with Disabilities under Executive Order 13548 (OPTIONAL)	No	
	Diversity and Inclusion Plan under Executive Order 13583 (OPTIONAL)	No	
	Diversity Policy Statement (OPTIONAL)	No	
	Human Capital Strategic Plan (OPTIONAL)	No	
	EEO Strategic Plan (OPTIONAL)	No	
	Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey (OPTIONAL)	Yes	

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**715-01 Part E**

**EXECUTIVE SUMMARY**

**Mission**

The United States Army Corps of Engineers (USACE), Buffalo District Office, located in western New York, has six field offices that cover 38,000 square miles from Massena, New York, to Toledo, Ohio. It encompasses the U.S. drainage basins for both lower Great Lakes and the St. Lawrence River. The Buffalo District provides vital engineering services and capabilities to support navigation, environmental protection/restoration, water management, flood damage mitigation and response to national emergencies. District employees plan, design, construct, and operate water resource projects to maintain navigation, flood and storm damage reduction, stream bank and shoreline protection and ecosystem restoration. The Buffalo District also has regulatory authority over work impacting navigable waters and discharge of fill material into waters of the United States, including wetlands.

The EEO Officer for the Buffalo District reports directly to the Deputy Commander of the District, with the Commander serving as her second line supervisor. The EEO Officer provides day-to-day operational EEO services, technical advice, and assistance to the Commander's office and to managers, supervisors and employees in the six field offices encompassed by the District. The Buffalo District's organization structure is attached to this report.

**Database Information**

Data contained in this report is from the Defense Civilian Personnel Database System (DCPDS) and the Complaints Tracking System (iComplaints). Comparison data used in this report is drawn from Civilian Labor Force (CLF) statistics. The numbers included in tables throughout the report do not include ACTED employees in the Buffalo District during FY 2020. There are issues with the accuracy of the data in DCPDS. In an effort to ensure the most accurate data, the Buffalo District requests each employee verify and update their data in MyBiz each year. However, self-identification of information including race, national origin, and disability, is strictly voluntary. As such, without every employee voluntarily updating their demographic information, the statistical information in this report will never be completely accurate.

Applicant flow data has not been made available by Army for analysis and has not been available for at least nine years. The inability to examine applicant flow data has impeded the ability of the District to review applicants versus selectees, and for the EEO

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and the Diversity Team to determine if strategies for increasing the diversity of applicants are actually working.

**Summary Analysis of the Workforce**

The Buffalo District workforce consists of 298 employees, a decrease of 5 from FY 2019 workforce levels. The following pages paint a picture that has changed little in recent years: women and minorities are underrepresented when compared not only to the Civilian Labor Force, but also to the Regional Labor Force.<sup>1</sup>

- Males are not underrepresented in the Buffalo District, occupying 70.46% of the positions in the District (CLF is 53.20%).
- The Buffalo District continues to exhibit low representation of women and minorities.
- The percentage of Female employees (29.53%) remains considerably less than their availability in the CLF (46.80%).
- The only minority population to exceed the CLF are American Indian/Alaskan Native Males).
- The Buffalo District has no representation in the following populations: Native Hawaiian or Other Pacific Islanders (Males or Females), Female American Indian/Alaskan Natives, and Two or More Races (Males).
- The Buffalo District has met/exceeded the federal goals for individuals with disabilities in the workplace.

**FY 2020 WORKFORCE**

The following chart breaks down race/ethnicity/sex for FY 2020 vs FY 2019. Highlighted areas indicate a low participation rate compared to the National Civilian Labor Force average. Wage grade employees are not captured in this data. Regional data from the Greater Buffalo Area Labor Force is also included.

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<sup>1</sup> Underrepresentation, as defined in 5 CFR Section 720.202, occurs when the number of women or members of a minority group within a category of civil service employment constitutes a lower percentage of the total number of employees within the employment category than the percentage that women or the minority group constitutes within the civilian labor force (CLF) of the United States.

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<b>RNO</b>	<b>Number</b>	<b>Percent</b>	<b>CLF*</b>	<b>RCLF**</b>	<b>Net Change (#) from FY 19</b>
White Male	200	67.11 %	39.00%	44.90%	-7
White Female	79	26.51%	33.70%	41.20%	-1
Black Male	2	0.67%	4.80%	4.00%	+1
Black Female	5	1.67%	5.70%	5.20%	+1
Hispanic Male	4	1.34%	6.20%	1.10%	+1
Hispanic Female	2	0.67%	4.50%	1.00%	0
Asian Male	2	1.00%	1.90%	0.60%	0
Asian Female	1	0.33%	1.70%	0.50%	+1
Native Hawaiian or Pacific Islander Male	0	0.00%	0.10%	0.00%	0
Native Hawaiian or Pacific Islander female	0	0.00%	0.10%	0.00%	0
American Indian or Alaskan Male	1	0.33%	0.30%	0.30%	0
American Indian or Alaskan Female	0	0.00%	0.30%	0.30%	0
Two or More races Male	0	0.33%	0.80%	0.20%	0

\*= National Civilian Labor Force (CLF)

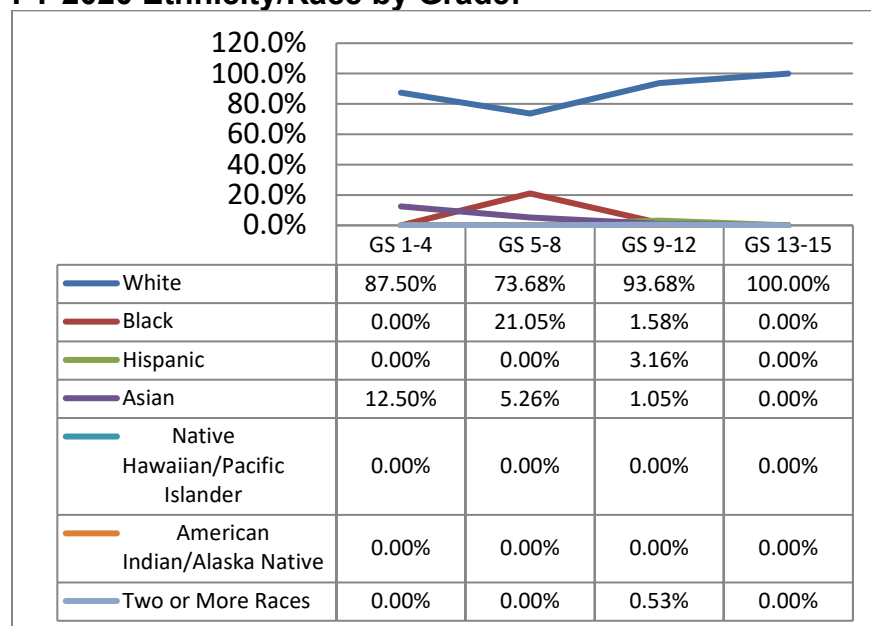
\*\*= Relevant Civilian Labor Force (Greater Buffalo New York)

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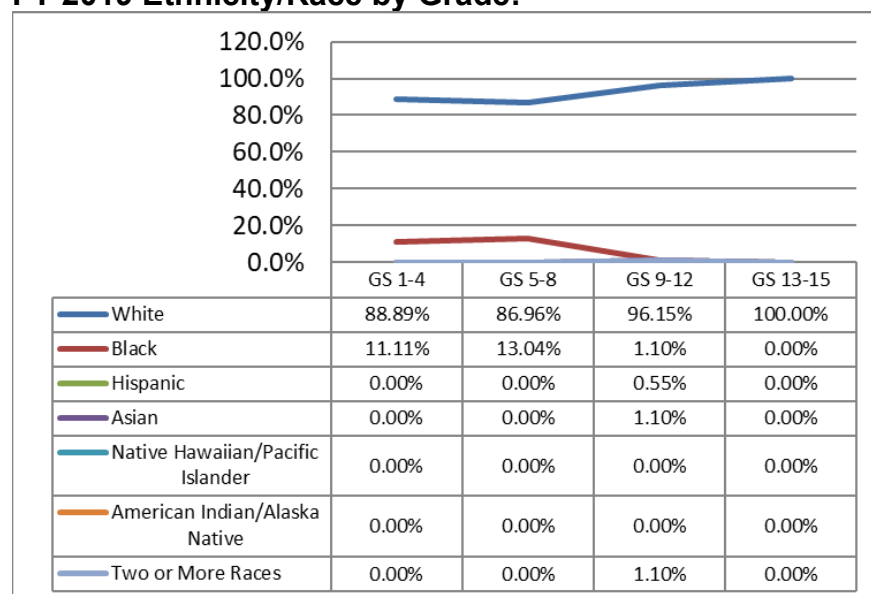
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The following tables provide a snapshot of GS employees by grade grouping, ethnicity, race and gender. With the exception of White Males and American Indian or Alaskan Males, there is a less-than-expected participation rate for all other ethnic, racial and gender groups.

**FY 2020 Ethnicity/Race by Grade:**



**FY 2019 Ethnicity/Race by Grade:**



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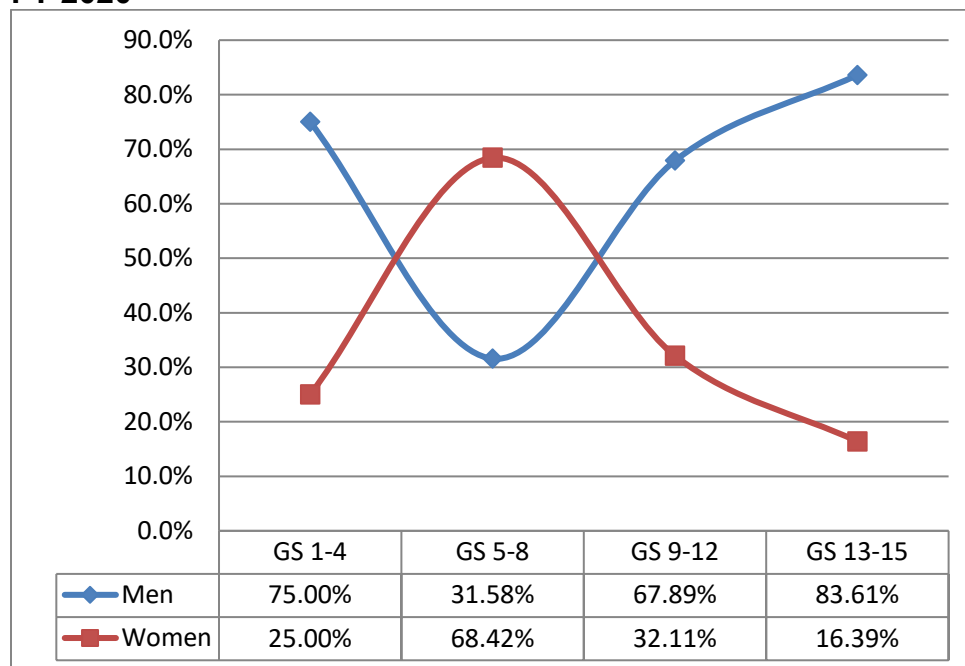
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**Gender**

The following gender/grade grouping chart demonstrates the gap between males and females in by Grade:

	Men		Women		Total	
Population	FY 20	FY 19	FY 20	FY 19	FY 20	FY 19
<b>GS 1-4</b>	6	5	2	4	8	9
<b>GS 5-8</b>	13	10	6	13	19	23
<b>GS 9-12</b>	129	127	61	55	190	182
<b>GS 13-15</b>	51	48	10	9	61	57
<b>Total</b>	199	190	79	81	278	271

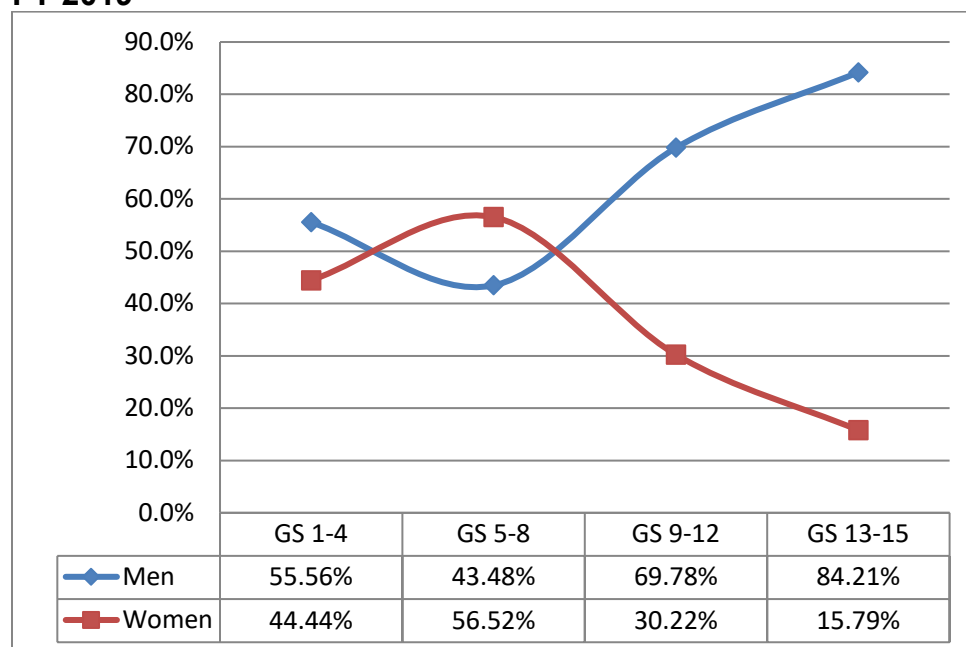
**FY 2020**



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**FY 2019**



### **Disabilities**

Section 501 of the Rehabilitation Act of 1973, as amended, codified at 29 U.S.C. §791, requires Federal agencies to establish affirmative action programs for the hiring, advancement and retention of persons with disabilities. Army's goal is to exceed the Federal goals of 12% of the workforce are Individuals with Disabilities (IWD), and 2% are Individuals with Targeted (or severe) Disabilities (IWTD). Targeted disabilities are those disabilities that the Federal government, as a matter of policy, has identified for special emphasis.<sup>2</sup>

Historically the Buffalo District has had an underrepresentation of IWTDs but in recent years has demonstrated progress when measured against the Federal goals. Annual reminders are sent to the workforce requesting employees check the accuracy of their data in MyBiz in an effort to improve the statistical accuracy of this information. This endeavor of improving the accuracy of statistical data is all the more difficult since entering and updating demographic information is entirely voluntary. However, annual reminders asking employees to voluntarily input/update their demographic information is working. In FY 2018, 3 employees self-identified as having a targeted disability. In FY 2019, that number increased to 6 employees, or 2.06% (the first time that the District

<sup>2</sup> Targeted disabilities include: deafness; blindness; missing extremities; partial paralysis; complete paralysis; epilepsy; severe intellectual disability; mental illness; and dwarfism.

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achieved the Federal goal of 2.0%), and in FY 2020 the District hit the goal again, inching upward to 7 employees self-identifying as having a targeted disability or 2.37%.

The District has also exceeded the Federal goal of 12% of the workforce self-identifying as having a disability. In FY 2020, 43 (15.25%) of employees self-identified as having a disability. Hiring of individuals with disabilities, both targeted and other, continues to be an area that the District must continue to monitor and improve its efforts. Even though the District has exceeded the 2% goal, the District can easily fall below 2% with the smallest change given the small number of employees in the Buffalo District. All it will take is an IWTD leaving the District or changing their disability status. For example, an employee may elect to self-identify as their disability “blindness” in FY 2020, but in FY 2021 when verifying information in MyBiz, decide to self-identify “ADHD.” One disability – blindness – is considered a “targeted” disability. The other is not. The act of choosing which disability to disclose is strictly up to the employee but does impact the numbers reported.

The Buffalo District has done an outstanding job utilizing the Workforce Recruitment Program (WRP). In FY 2020, the District once again hired a student through the WRP for the summer, marking the fourth summer in a row that the District has placed a student through the program. The student was placed in the Regulatory Branch and converted to a temporary hire at the conclusion of the summer. The Buffalo District provided training in utilizing the program for EEO personnel throughout the Division in FY 2020. This year marked the final year for the District’s use of the WRP summer program for the foreseeable future in an effort to provide other districts with the opportunity to utilize one of the few WRP slots (USACE has been averaging 2-3 slots per summer for the entire Agency). The Buffalo District will continue to utilize the WRP database for recruitment and in FY 2020 utilized the Schedule A hiring authority to place a candidate from the WRP database into a vacant position in the District.

### **Veterans**

In FY 2020, there were 85 (28%) veterans represented in the District’s civilian workforce. Five veterans were added to the workforce in FY 2020. Of the District's veterans, a total of 62 (73%) veterans reported having a disability. Twenty-four of the 85 veterans (or, 28%) reported 30% or more disabled. Six veterans reported having a targeted disability, resulting in 9.68% of the veteran population having a targeted disability. Three veterans, all white males, received permanent promotions in FY 2020.

The Buffalo District continues to send reminders to the workforce annually to improve the accuracy of information in MyBiz. These reminders serve to educate and encourage all employees, including disabled veteran employees, to voluntarily review and update information identifying disabilities. There have been improvements in the accuracy of information in the database for the veteran community. Previously, the District had

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identified a disconnect between hiring authorities (e.g. 30% or more disabled veteran hiring authority) and lack of any self-identification of a disability in MyBiz. In FY 2020 the number of veterans self-identifying as having a targeted disability increased from 1 (FY 2019) to 6 (FY 2020), demonstrating the reminders are having an impact on improving accuracy in the reporting system.

**Accessions/Separations**

In FY 2020, there were 5 Term Appointments (2 White Males, 2 White Female, 1 Asian Male); 13 Career Conditional Appointments (9 White Males, 3 White Females; 1 Asian Female); 3 Excepted Appointments (1 White Male, 1 White Female, 1 Black Female).

There were 6 Retirements (5 White Males, 1 White Female); 1 Removal (1 Asian Male); 2 Terminations of Appointment (2 White Males); 6 Resignations (3 White Males, 2 White Females); 14 Reassignments/Transfer to Other Districts/Agencies (10 White Males, 4 White Females). Of these, 5 White Males and 1 White Female transferred to other agencies. Finally, there was 1 individual on TDY assignment who has not yet returned as of the date of this report (1 White Male).

**Top Occupational Series**

The most populous occupational series in the Buffalo District by number of employees are: 810 Civil Engineering (62), 401 Natural Resources Management and Biological Sciences (47), 819 Environmental Engineering (22), 301 Miscellaneous Administration & Program (12), 303 Miscellaneous Clerk and Assistant (10), and 1102 Contracting (8).<sup>3</sup>

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<sup>3</sup> Comparison to the CLF cannot be completed due to different series coding between the 2010 Census data online and USACE codes.

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**Top Employment Programs**

	<i>Civil Engineer</i>	<i>Gen Nat'l Resources Mgt &amp; Bio Sciences</i>	<i>Environ. Engineer</i>	<i>Misc. Admin &amp; Program</i>	<i>Misc. Clerk &amp; Assistant</i>	<i>Contracting</i>
<i>White Males</i>	48	32	14	6	0	6
<i>White Females</i>	9	15	8	6	9	0
<i>African American Males</i>	0	0	0	0	0	0
<i>African American Females</i>	0	0	0	0	1	1
<i>Hispanic Males</i>	2	0	0	0	0	0
<i>Hispanic Females</i>	1	0	0	0	0	0
<i>Asian Males</i>	1	0	0	0	0	1
<i>Asian Females</i>	0	0	0	0	0	0
<i>Pacific Islander Males</i>	0	0	0	0	0	0
<i>Pacific Islander Females</i>	0	0	0	0	0	0
<i>Native Amer/Alaskan Males</i>	0	0	0	0	0	0
<i>Native Amer/Alaskan Females</i>	0	0	0	0	0	0
<i>Two or More Races Males</i>	1	0	0	0	0	0
<i>Two or More Races Females</i>	1	0	0	0	0	0

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***Series 810 Civil Engineering:***

Of the 62 employees in this series, 48 (77.41%) are White Males, 9 (14.51%) are White Females, 2 (3.22%) are Hispanic Males, 1 (1.61%) is a Hispanic Female), and 1 (1.61%) is an Asian Male. All other EEO populations are absent.

***Series 401 Natural Resources Management and Biological Sciences:***

Of the 47 employees in this series, 32 (68.08%) are White Males, 15 (31.91%) are White Females. No other EEO population is represented.

***Series 819 Environmental Engineering:***

Of the 22 employees in this series, 14 (63.63%) are White Males and 8 (36.36%) are White Females. All other populations are absent.

***Series 301 Miscellaneous Administration & Program:***

Of the 12 employees in this series, 6 (50.00%) are White Males and 6 (50.00%) are White Females. No other EEO population is represented.

***Series 303 Miscellaneous Clerk & Assistant:***

Of the 10 employees in this series, 9 (90.00%) are White Females, and 1 (10.00%) is a Black Female. No other EEO population is represented.

***Series 1102 Contracting:***

Of the 8 employees in this series, 6 (75.00%) are White Males, 1 (12.50%) is a Black Female, 1 (12.50%) is an Asian Male. No other EEO population is represented.

**Non-GS Occupations**

The most populous non-GS occupations in the Buffalo District by number of employees are: Floating Plant/Non-Supv (6 White Males, 1 White Female), and NAV Lock & Dam Non-Supv (4 White Males). The remaining non-GS employees are 7 White Males, 1 White Female, and 1 American Indian/Alaskan Native Male.

**FED 9**

The EEOC uses an occupational classification system consisting of 9 categories called the "FED 9." The following is the breakdown of the Buffalo District workforce in the required EEOC FED 9 occupational groups ("Sales Workers" are not present in the District representation and have been left off of the chart):

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<b>Fed9:</b>	<b>Officials and Managers</b>	<b>Professionals</b>	<b>Technicians</b>	<b>Admin Support Workers</b>	<b>Craft Workers</b>	<b>Operatives</b>	<b>Laborers Helpers</b>	<b>Service Workers</b>	<b>NA</b>
<b>White Men</b>	33	141	11	1	5	8	0	0	1
<b>White Women</b>	18	44	1	11	0	1	1	1	2
<b>African American Men</b>	0	0	2	0	0	0	0	0	0
<b>African American Women</b>	1	2	0	2	0	0	0	0	0
<b>Hispanic Men</b>	0	4	0	0	0	0	0	0	0
<b>Hispanic Women</b>	0	2	0	0	0	0	0	0	0
<b>Asian Men</b>	1	2	0	0	0	0	0	0	0
<b>Asian Women</b>	0	0	1	0	0	0	0	0	0
<b>Pacific Islander Men</b>	0	0	0	0	0	0	0	0	0
<b>Pacific Islander Women</b>	0	0	0	0	0	0	0	0	0
<b>Native American/Alaskan Native Men</b>	0	0	0	0	0	1	0	0	0
<b>Native American/Alaskan Native Women</b>	0	0	0	0	0	0	0	0	0
<b>Two or More Races Men</b>	0	1	0	0	0	0	0	0	0
<b>Two or More Races Women</b>	0	0	1	0	0	0	0	0	0
<b>Totals</b>	53	196	15	13	5	10	1	1	3

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**Workforce FED 9 Categories**

FED9 Description	Number of Employees	Percentage
Officials and Managers	53	17.96%
Professionals	196	66.44%
Technicians	15	5.08%
Administrative Support Workers	14	4.74%
Craft Workers	5	1.69%
Operatives	10	3.39%
Laborers and Helpers	1	0.34%
Service Workers	1	0.34%

**Supervisors**

The District continues to do poorly in improving the number of females and minorities in leadership positions. In FY 2020:

- There are 40 individuals classified as supervisors or managers. Of these, 36 (90.00%) are White Males and 4 (10.00%) are White Females. Four individuals self-identified as having a disability, with one individual identifying as having a targeted disability. All other populations are absent.
- In the classification of Supervisor CSRA<sup>4</sup> (9 employees), there are 7 (77.77%) White Males and 2 (22.22%) White Females. Two individuals self-identified as having a disability. All other populations are absent.
- At the Leader level (3 employees) there are 2 (66.67%) White Males and 1 (33.33%) American Indian/Alaskan Native. All other populations are absent.

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<sup>4</sup> A "supervisor (CSRA)" title includes anyone who meets the definition of supervisor in the Civil Service Reform Act, but who supervises less than 25 percent of the time.

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**Awards by Gender**

	Performance: TOA		Performance: Cash		OTS		QSI		Special Act or Service	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>G &amp; A</b>	12	19	8	12	10	18	1	1	0	1
<b>TSD</b>	108	54	111	41	61	38	10	1	1	0
<b>P3M</b>	22	9	34	11	7	2	3	0	0	0
<b>Total by Gender</b>	142	82	153	64	78	58	14	2	1	1
<b>Total</b>	224		217		136		16		2	

**Awards by Race and Disability**

	Performance: TOA	Performance: Cash	OTS	QSI	Special Act or Service
<b>Hispanic</b>	3	2	1	0	0
<b>Black</b>	5	6	2	0	0
<b>Asian</b>	2	2	1	0	1
<b>White</b>	210	205	129	15	1
<b>Two or more Races</b>	5	3	4	1	0
<b>Disability</b>	35	35	25	2	0
<b>Targeted Disability</b>	2	5	3	0	0

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**Essential Elements A – F (Part G Checklist):**

The Part G Checklist examines the District's efforts at achieving a Model EEO Program. Specific information for each section of the checklist is as follows:

FY 2020			FY 2019		
Element	Percentage "Yes"	# Deficiencies	Element	Percentage "Yes"	# Deficiencies
A	100%	0	A	100%	0
B	90%	3	B	85%	6
C	95%	1	C	95%	2
D	100%	0	D	100%	0
E	100%	0	E	100%	0
F	100%	0	F	100%	0

**Element A: Demonstrated commitment from agency leadership**  
*(Element A identifies areas where the Agency head has communicated a commitment to equal employment opportunity and a discrimination-free workplace.)*

**Strengths:**

- EEO Policy Letters are issued timely each year and align with the 2015-40 Implementing Procedures for Anti-Harassment Policy. There is an anti-harassment coordinator identified. Policy letters are emailed to the entire workforce and posted on the District's intranet and EEO bulletin board, as well as bulletin boards throughout the District.
- Every supervisor in the District was trained in the Army Anti-Harassment Policy after issuance of Army Directive 2015-40 Implement Procedures for Anti-Harassment Policy.
- New supervisors, when they are promoted to the supervisory ranks, are provided with an overview of their responsibilities under the Anti-Harassment Policy and copies of the LRB policy statements as well as the Army Anti-Harassment Policy.

**Deficiencies:**

None

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**B. Integration of EEO into the agency's strategic mission**

*(Element B identifies the structure of the EEO Program that help to maintain a workplace that is free from discrimination while supporting the Agency's strategic mission of a high performing organization.)*

**Strengths:**

- The EEO Officer has the appropriate authority and resources to carry out an effective EEO Program.
- Day-to-day supervision of the EEO Office is assigned to the Deputy Commander, and the second line supervisor is the District Commander.
- The EEO Officer provides technical guidance in the implementation of the EEO program to the District Commander.
- The annual signed MD-715 is made available to all employees, posted on the Agency's internal website, and posted on the public website.
- The EEO Officer provides updates on the EEO program during the LRB Command & Staff Support Synch Meetings.
- The EEO Officer is a non-voting member of the Position Management Resource Council and is provided the opportunity to discuss EEO in the context of filling positions and strategic planning, such as discussions on utilizing special hiring authorities to fill vacancies.
- The EEO Officer usually is an advisor on internal and external interview panel selections for GS-12 and above positions, reviewing questions and matrices and assisting new supervisors with entry-level hiring panels.
- The District re-surveys its workforce annually, issuing reminders that educate and encourage employees to self-identify/update demographic information in MyBiz.
- Special Emphasis Programs (SEP) support equal opportunities throughout the District to include outreach and recruitment and advancement. The SEP is supported by SEP Managers (SEPMs) to implement programs and elevate concerns from the workforce.
- The District utilizes information and feedback from the annual Command Climate Survey and the OPM Employee Viewpoint Survey to gather information and ideas to improve employee satisfaction.
- It is noteworthy that several supervisors regularly work with the EEO Office on outreach, employee engagement.
- Deputy District Commander meets virtually or in person with the EEO Officer weekly.

**Deficiencies:**

- Army lacks the ability to conduct applicant flow data analysis (note: this deficiency is at the Agency level and not within the control of the District).

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- Command and Staff meetings are an excellent tool to update the Commander on the state of EEO in the District. In the past year, the meetings have been held whether the Commander is available to attend or not. Briefing without the Commander present defeats the purpose of an effective means of ensuring EEO (and other support offices) present regularly and directly to the Commander.
- Selections for training and details are not routinely discussed with EEO.
- The EEO Office was provided with additional assistance when the District added a G&A Support position in FY 2020. Having help for the Buffalo District EEO Office ensures the reasonable accommodation program is handled by an individual outside of the EEO Officer. However, as EEO Offices are given additional responsibilities (e.g. Diversity Equity and Inclusion) it becomes increasingly unreasonable to expect the same level of performance, the same amount of programming, and the same level of attention to detail every year without an increase in the size of the EEO Office. The current grade structure of a G&A Administrative Assistant cannot help with the increasing workload for EEO Officers. Regardless of the number of employees serviced, every EEO Officer in USACE must perform the same wide-ranging number of requirements in support of a Model EEO Program. The size of the District does not relieve the EEO Officer of work nor result in a lighter workload. There remains no backup to the EEO Officer.
- Senior managers do not implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans. The EEO Officer is not a Champion for any part of the OPlan and is not consulted or included in senior level meetings, even when the agenda or discussion includes discussion of recruitment and other activities with EEO responsibilities and implications.
- Many supervisors have followed recommendations stemming from previous EEO complaint activity to ask male and female employees for a preference when determining performance award type (time off or cash). This has been in place for several years but was not followed by every supervisor in FY 2020.

**C. Management and program accountability**

***(Element C identifies how managers, supervisors and EEO officials are held responsible for the effective implementation of the Agency's EEO Program)***

**Strengths:**

- The EEO Officer is provided with annual training to ensure skill set stays current and EEOC requirements are maintained.
- Several EEO programs were indefinitely postponed due to the pandemic forcing the District into a telework posture. However, the EEO Office presented the following programs FY 2020 in support of EEO goals, and increasing employee morale and employee engagement: Healthy Eating on the Run (Kaleida Health); Buffalo Veterans Court; Faye Lone (Native American Quilt Artist); Giving Tree;

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Dress for Success Buffalo; Sara Bonk (Mental Health Specialist embedded with local police force); series of American Sign Language Introduction videos taught by a Buffalo District employee. Due to most of the District on telework, the EEO Office has ensured alternative ways of engaging the workforce with sharing podcasts, short videos and articles, a summer book club, and inviting employees to share reviews of restaurants during Hispanic Heritage Month as a way of commemorating various observance months during the pandemic.

- The EEO Office introduced Virtual Mentoring to the Leadership Development Program II, and during the last month of the fiscal year, began working directly with the St. Paul District to implement a virtual mentoring pilot between the Buffalo and St. Paul Districts, introducing new employees to seasoned employees with an eye towards diversifying experiences and advice, and increasing levels of inclusion. Note: eMentoring has been included as an Action Item in the MD-715 for years.
- Every Buffalo District supervisor was provided with one-on-one training in EEO Retaliation.
- Commitment to the EEO Program is included as an integral part of the evaluation system for Managers and Supervisors.
- The EEO Officer provides information and discuss EEO programs/initiatives with supervisors and managers as issues and questions arise. The EEO Officer is an advisor to Position Management Review Council and reports out at Command & Staff Support Synch Meetings.
- The Commander's Policy Statement on Anti-Harassment contains a procedure for handling allegations of harassment. The Anti-Harassment procedure does not take the place of the EEO complaint process but is in addition to, as required by EEOC regulations. The process requires tracking of inquiries by the District's named Anti-Harassment Coordinator (separate from the EEO Office), and a Memorandum for the Record (MFR) is written after the manager has explored the allegations. The MFR is forwarded to the Commander.
- The Commander issues a Memorandum for the Record that is shared with on-site contractors in G6 and SAGE that explains the District's Anti-Harassment Policy and provides an expectation for appropriate behavior on site.
- The District hired a G&A Support Staff, who reports to EEO, with duties for overseeing the Reasonable Accommodations Program. Once fully trained this will establish a firewall between the EEO Officer and the Reasonable Accommodations Program, as required by EEOC.

All Special Emphasis Program Manager positions are filled.

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**Deficiencies:**

- The District does not have established procedures for processing requests for personal assistance services (PAS). This deficiency is at the Division level. However, the Division has drafted a process that is in the review stages and which will serve as the PAS procedures for every District in the LRD. In the interim, the Buffalo District has information informing both employees and the public on its intranet and external website of the requirements for providing PAS as per EEOC. If the District receives a request in the interim, it will be processed under the Reasonable Accommodation Policy for the Agency.
- Awards selection panels have been in place since FY 2013, and generally utilized for Employee Recognition Awards, with the EEO Officer sitting in on panel meetings to review and rate the application packages. In FY 2018 the Panel's recommendations were not followed without explanation provided for the delineation from the process. Assurances were given that an SOP would be drafted, signed, and implemented. However, as of FY 2020 there is no SOP, and management did not follow any procedure that had been followed in the past resulting in a complete lack of transparency and there was no effort to consult with or include CPAC and EEO in the awards process.

**D. Proactive prevention of unlawful discrimination**

***(Element D identifies the Agency's early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity.)***

**Strengths:**

- The EEO Office ensures the external Careers website includes information on various hiring authorities such as Schedule A, and links to guidance and laws on unlawful discrimination and the complaints process.
- The EEO Office developed a checklist for supervisors to use when onboarding employees to ensure that reasonable accommodation is part of the onboarding process when needed. The checklist has been in place for several years and when followed, ensures adequate time for reasonable accommodation requests to be processed and in place.
- The EEO Office developed a template letter for hiring officials to send to candidates for interviews that includes information on how to request a reasonable accommodation. This letter is used by G&A and has been shared with other divisions.
- A few supervisors have worked closely with the EEO Office on targeted hiring, to ensure that adequate time and resources are provided to POCs in the community regarding upcoming vacancies. This ensures interested candidates have time to work on a resume and research the Agency and its missions in order to put themselves in the best possible light when applying for a position.
- The District hired its WRP summer student to fill a temporary hire in FY 2020.

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- The EEO Office provides EEO briefings for new employees as well as tracks completion of required EEO training such as the No FEAR Act. The orientation briefing for new employees includes an overview of the No FEAR Act to ensure that new employees are made aware of the Agency's training requirement, followed by tracking to ensure timely completion of the training by new employees. The new employee briefing also includes information on requirements under the Limited English Proficiency Plan, alerting employees of their obligations when conducting programs/outreach/etc. with the public.
- The EEO Office is part of the out-processing checklist. The EEO Office looks for opportunities to improve its recruitment sources and programs offered through information obtained from its exit interviews.
- As of September 30, 2020, 100% of the District supervisors and employees completed the mandatory No FEAR Act Training within the regulatory guidelines. Similarly, 100% of the District completed the mandatory face-to-face Sharp trainings.

**Deficiencies:**

There were no deficiencies identified.

**E. Efficiency**

***(Element E requires the Agency head to ensure that there are effective systems for evaluating the impact and effectiveness of the Agency's EEO programs and an efficient and fair dispute resolution process.)***

**Strengths:**

- The Buffalo District utilizes iComplaints to track and monitor EEO complaints, BOBI and the MD-715 Reporter to monitor information that could impact the Agency's EEO program.
- Legal sufficiency reviews are handled by attorneys located outside of the District.
- All complaint-related activities in FY 2020 were completed well within metrics.

**Deficiencies:**

- The District does not have the ability to conduct applicant flow data analysis (note: this deficiency is at the Agency level and not within the control of the District). However, simple tracking via surveys or onboarding processes do not ask or track how the new hire became aware of the vacancy that they were hired to fill. Such information, including surveying schools/majors of new hires, can show a trend in where our current recruitment is working, and open up the opportunity to focus recruitment efforts elsewhere.

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**F. Responsiveness and legal compliance**

***(Element F requires federal agencies to comply with EEO statutes and EEOC regulations, policy guidance, and other written instructions.)***

**Strengths:**

- The EEO Office continued to focus on compliance with EEO laws and EEOC regulations, policy guidance, and other written instructions including proactively addressing existing deficiencies in light of the new MD-715 forms.
- Document requests from EEOC and from Army were provided timely.

**Deficiencies:**

- There were no deficiencies identified.

**FY 2020 Accomplishments:**

- For the fourth consecutive summer, the Buffalo District was granted a slot to hire a Workforce Recruitment Program (WRP) summer student.
- Using the WRP database and Schedule A hiring to bring in a permanent employee in G&A.
- Introduced Virtual Mentoring to LDP II participants, matching each participant with a professional mentor from the private and federal sectors outside of the Division.
- Partnering with St. Paul District to match new employees with seasoned mentors beginning FY 2021 to improve inclusion efforts.
- Improving inclusion through use of sponsors to reach out to new employees prior to the onboarding date and helping them to acclimate to the District.
- Focused on improving interview skills to help participants of LDP II prepare for the next step in career progression.
- Continued utilization of Pathways internships to increase number of underrepresented populations.
- Dramatically increased the number of organizations and schools for recruitment.
- Exit interviews with employees ensure every employee is provided with an opportunity to provide feedback on policies and practices that could improve employee satisfaction, enhance work-life balance, and improve retention, as well as provide suggestions on how/where the District can expand recruitment activities.
- Prior to pandemic, Diversity Team was revamped and reorganized with clearly stated goals.

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**FY 2020 Complaints Processing Summary**

- There were no complaints filed in FY 2020. Trends in walk-in traffic and contacts indicate sexual harassment and retaliation continue to be concerns for employees.
- 1 complaint that had been pending a hearing was dismissed.
- Non-selection has been the only issue named in complaints filed for the past 6 years. Basis have included age, gender, sexual orientation.
- Processing times at the informal and formal levels are “green.”
- The Anti-Harassment Inquiry Process is handled by the Deputy Commander and in FY 2020, there were no harassment issues addressed through the process.

**Strategy for next FY:**

- There remains no backup or succession plan in place for the EEO Officer. Yet, there are increasing demands on the EEO Officer's time, such as EEO is now required to gather documentation prior to requesting an EEO Investigator (more work to do up front with a shorter deadline than gathering the information after requesting an EEO Investigator), a Diversity Team with its own list of due-outs, and the imminent rollout of a revamped Diversity, Equity, and Inclusion Program from Army that will be one more major responsibility for EEO Offices in USACE. Correcting deficiencies identified in this MD 715 report will also require more of the EEO Officer's time being utilized (for example, attending meetings that she currently does not attend. Without a second professional in the EEO Office, she cannot send anyone else to attend as there is only one full time professional level position in EEO). If the EEO Officer is absent from the office, there is a negative impact on services provided to the District. A shared G&A Support position, even if residing in the EEO Office, cannot process or counsel EEO complaints, give advice to employees and managers on potential EEO and harassment issues, advise the Commander on sensitive topics, oversee a Diversity Equity and Inclusion rollout, write annual reports, conduct training, and oversee SEPMS should the EEO Officer be out. Regardless of the number of employees serviced, every EEO Officer in USACE must perform the same wide-ranging number of requirements in support of a Model EEO Program. The size of the District does not relieve the EEO Officer of work nor result in a lighter workload. There remains no backup to the EEO Officer and as such, the EEO program continues to rely completely on one individual and is only as good as the health and attendance of that individual. There is no succession plan in place for the EEO Officer, which should be of concern given the difficulty throughout the Division in filling vacant EEO Officer positions due to the low-grade structure in the Agency, and the EEO Officer's imminent eligibility for retirement.

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- Continue researching and looking into STEM activities and recruitment at colleges/universities with diverse racial and ethnic populations, and partnerships with schools. Need to enlist the Commander in requiring every hiring manager utilize diversity in their approach to filling a vacancy, including outreach to previously untapped schools and organizations.
- Continue to utilize Pathways internships to increase number of underrepresented populations and add to the pool of potential permanent hires after graduation.
- With respect to hiring panels, redact personal information in the form of names, addresses, and affiliations/organizations that could lead to assumptions regarding race, ethnicity, age and other protected factors. Studies have shown ethnic-sounding names and activities, or neighborhoods lived in, can influence employers reviewing resumes.
- Every hiring panel for GS-12 and up include a member from outside of the Buffalo District to increase fairness and transparency in the hiring process.
- Females should be included on every hiring panel.
- Examine Facebook postings including header, tweets, LinkedIn postings, etc. to ensure District is presenting a more diverse – including gender – workforce in its public face.
- Explore ways of increasing diversity of hires through use of Diversity Team. For example, revamp questions asked during panels. Hiring those who are technically the best does not improve the District's retention rates; strive for candidates who bring different backgrounds and perspectives to the table, are likely to stay with the Buffalo District for several years, and who will contribute towards achieving a more inclusive work environment for all.
- Continue to work on Recruitment List. Look for videos and ways of selling the local community and the District to potential applicants.
- Greater focus on developing recruitment sources of Hispanic candidates. Hispanic employees are greatly underrepresented in federal employment. Including student organizations and establishing relationships with schools and professional organizations with a large Hispanic population should be a priority for hiring in FY 2020.
- Ensure District has an active LinkedIn account dedicated to feature videos, stories, and vacancy announcements. Account should be for the District, not an individual.
- Take Diversity, Equity, and Inclusion seriously. Key elements of a DEI program are missing in the Buffalo District. A business plan for diversity, a diversity policy, baseline assessments and measurable goals need to be in place no later than the second quarter of FY 2020.
- The EEO Office should be given more support and more resources to continue with its D&I and virtual (eMentoring) initiatives. Use of mentors from other districts and agencies is important in developing diversity within the Buffalo District and is an excellent tool for inclusion.

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- A concerted effort needs to be made to use Special Emphasis Programs, O Plan, and Outreach Initiatives in a way that supports the goals outlined in the MD-715. There are many good ideas that take place within the various teams working on initiatives such as the O Plan or the Diversity Team, without communication occurring between the teams or follow up to ensure ideas are explored and implemented. In a District as small as the LRB, the most effective and efficient plans will support the goals of each of the teams, rather than each operating in a vacuum.

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

<b>Essential Element A: Demonstrated Commitment From agency Leadership</b> <b>This element requires the agency head to communicate a commitment to equal employment opportunity and a discrimination-free workplace.</b>			
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>A.1 - The agency issues an effective, up-to-date EEO policy statement.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>A.1.a</b>	Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	YES	Dated 7/10/20; sent to the workforce on 7/31/20.
<b>A.1.b</b>	Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>A.2 - The agency has communicated EEO policies and procedures to all employees.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>A.2.a</b>	Does the agency disseminate the following policies and procedures to all employees:		
<b>A.2.a.1</b>	Anti-harassment policy? [see MD 715, II(A)]	YES	
<b>A.2.a.2</b>	Reasonable accommodation procedures? [see 29 C.F.R § 1614.203(d)(3)]	YES	
<b>A.2.b</b>	Does the agency prominently post the following information throughout the workplace and on its public website:		
<b>A.2.b.1</b>	The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	YES	





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<b>A.2.b.2</b>	Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 C.F.R § 1614.102(b)(5)]	YES	
<b>A.2.b.3</b>	Reasonable accommodation procedures? [see 29 C.F.R. § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	YES	
<b>A.2.c</b>	Does the agency inform its employees about the following topics:		
<b>A.2.c.1</b>	EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often.	YES	Annually
<b>A.2.c.2</b>	ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	YES	Annually
<b>A.2.c.3</b>	Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	YES	Annually
<b>A.2.c.4</b>	Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.	YES	Annually
<b>A.2.c.5</b>	Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR § 2635.101(b)] If "yes", please provide how often.	YES	Annually
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>A.3 - The agency assesses and ensures EEO principles are part of its culture.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>A.3.a</b>	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.	YES	Recognition at Town Halls, on-the-spot cash awards
<b>A.3.b</b>	Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]	YES	
<b>Essential Element B: Integration of EEO into the agency's Strategic Mission</b> <b>This element requires that the agency's EEO programs are structured to maintain a workplace that is free from discrimination and support the agency's strategic mission.</b>			



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 <b>Compliance Indicator</b>	<b>B.1 - The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
 <b>Measures</b>			
<b>B.1.a</b>	Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	YES	See B.1.a.1
<b>B.1.a.1</b>	If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.	YES	Deputy Commander
<b>B.1.a.2</b>	Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	YES	
<b>B.1.b</b>	Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	YES	
<b>B.1.c</b>	During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I)] If "yes", please provide the date of the briefing in the comments column.	YES	12/19/20
<b>B.1.d</b>	Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	NO	EEO is included in PMRC and annual staffing plan review. EEO is not invited to participate in any other senior-level staff meeting regarding technology, budget, OPlan or other strategic planning including recruitment, outreach, etc.
 <b>Compliance Indicator</b>	<b>B.2 - The EEO Director controls all aspects of the EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
 <b>Measures</b>			
<b>B.2.a</b>	Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to	YES	



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	identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)]		
<b>B.2.b</b>	Is the EEO Director responsible for overseeing the completion of EEO counseling [see 29 CFR §1614.102(c)(4)]	YES	
<b>B.2.c</b>	Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	YES	Technically Army conducts investigations and the EEO Office reviews the ROI for completeness.
<b>B.2.d</b>	Is the EEO Director responsible for overseeing the timely issuing final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	N/A	<b>HQ Army EEOCCR is responsible for overseeing the timely issuing of final agency decisions.</b>
<b>B.2.e</b>	Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	YES	
<b>B.2.f</b>	Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	YES	
<b>B.2.g</b>	If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2) and (c)(3)]	YES	
 <b>Compliance Indicator</b>	<b>B.3 - The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.</b>	<b>Measure Met?</b>	<b>Comments</b>
 <b>Measures</b>		<b>(Yes/No)</b>	A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>B.3.a</b>	Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	YES	
<b>B.3.b</b>	Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	YES	Problem Statement: LRB lacks diversity and some in the workforce may feel un-empowered or undervalued.



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			Overarching Goal: LRB has a diverse workforce at echelon where all are treated fairly
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>B.4.a</b>	Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:		
<b>B.4.a.1</b>	to conduct a self-assessment of the agency for possible program deficiencies. [see MD-715, II(D)]	YES	
<b>B.4.a.2</b>	to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	YES	
<b>B.4.a.3</b>	to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR § 1614.102(c)(5) & 1614.105(b) - (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	YES	
<b>B.4.a.4</b>	to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	YES	
<b>B.4.a.5</b>	to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]	YES	
<b>B.4.a.6</b>	to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	YES	
<b>B.4.a.7</b>	to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, III]. If not, please identify the systems with insufficient funding in the comments section.	YES	
<b>B.4.a.8</b>	to effectively administer its special emphasis programs (such as, Federal Women's Program,	YES	





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	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]		
<b>B.4.a.9</b>	to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I); EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	YES	
<b>B.4.a.10</b>	to effectively manage its reasonable accommodation program? [see 29 CFR § 1614.203(d)(4)(ii)]	YES	
<b>B.4.a.11</b>	to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	YES	
<b>B.4.b</b>	Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	YES	
<b>B.4.c</b>	Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	YES	
<b>B.4.d</b>	Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II)(A) of MD-110?	YES	
<b>B.4.e</b>	Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.5 - The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>B.5.a</b>	Pursuant to 29 CFR § 1614.102(a)(5), have all managers and supervisors received training on their responsibilities under the following areas under the agency EEO program:		
<b>B.5.a.1</b>	EEO Complaint Process? [see MD-715(II)(B)]	YES	
<b>B.5.a.2</b>	Reasonable Accommodation Procedures? [see 29 C.F.R. § 1614.102(d)(3)]	YES	
<b>B.5.a.3</b>	Anti-Harassment Policy? [see MD-715(II)(B)]	YES	



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<b>B.5.a.4</b>	Supervisory, managerial, communication, and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	NO	District needs to invest in effective training on communication and D&I training. EEO is no longer asked to review/have input into the annual training plan for supervisors.
<b>B.5.a.5</b>	ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>B.6 - The agency involves managers in the implementation of its EEO program.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>B.6.a</b>	Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	YES	
<b>B.6.b</b>	Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	YES	
<b>B.6.c</b>	When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	YES	Through Diversity Team.
<b>B.6.d</b>	Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR § 1614.102(a)(5)]	NO	EEO is not part of OPlan or other senior level meetings. MD-715 action items are not including or worked outside of the EEO Office initiatives.
<p style="text-align: center;"><b>Essential Element C: Management and Program Accountability</b>  <b>This element requires the agency head to hold all managers, supervisors, and EEO officials responsible for the effective implementation of the agency's EEO Program and Plan.</b></p>			
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.1 - The agency conducts regular internal audits of its component and field offices.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>C.1.a</b>	Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	YES	Note: field site visits were cancelled this year due to pandemic restrictions.

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<b>C.1.b</b>	Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102©(2)] If "yes", please provide the schedule for conducting audits in the comments section.	YES	Note: field site visits were cancelled this year due to pandemic restrictions.
<b>C.1.c</b>	Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.2 - The agency has established procedures to prevent all forms of EEO discrimination.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>C.2.a</b>	Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	YES	
<b>C.2.a.1</b>	Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	YES	
<b>C.2.a.2</b>	Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]	YES	
<b>C.2.a.3</b>	Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	YES	
<b>C.2.a.4</b>	Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [see Enforcement Guidance, V.C.]	YES	
<b>C.2.a.5</b>	Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see <u>Complainant v. Dep't of Veterans Affairs</u> , EEOC	YES	



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	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.		
<b>C.2.a.6</b>	Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR 1614.203(d)(2)]	YES	
<b>C.2.b</b>	Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR 1614.203(d)(3)]	YES	
<b>C.2.b.1</b>	Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR 1614.203(d)(3)(D)]	YES	
<b>C.2.b.2</b>	Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	YES	Note: recently hired reasonable accommodation coordinator who is undergoing training to completely take over program in FY21.
<b>C.2.b.3</b>	Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR 1614.203(d)(1)(ii)(B)]	YES	
<b>C.2.b.4</b>	Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR 1614.203(d)(3)(i)(M)]	YES	
<b>C.2.b.5</b>	Does the agency process all accommodation requests within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If "no", please provide the percentage of timely-processed requests in the comments column.	YES	Note: District follows Division's policy.
<b>C.2.c</b>	Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR 1614.203(d)(6)]	YES	
<b>C.2.c.1</b>	Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR § 1614.203(d)(5)(v)] If "yes", please provide the internet address in the comments column.	YES	<a href="https://www.lrb.usace.army.mil/Careers/EO/">https://www.lrb.usace.army.mil/Careers/EO/</a>



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 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.</b>	<b>Measure Met?</b>  <b>(YES/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>C.3.a</b>	Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	YES	<b>Standard:</b> Remain informed on EEO/EO principles, and ensure federal laws and regulations governing workplace behavior are adhered to. Support and communicate the Army EEO, Diversity, and Anti-Harassment Policies. Notify employee of avenues of redress and encouraging them to report instances of discrimination. Upon notification of an alleged discriminatory incident contact and EEO official immediately, but generally not later than within 2 business days. Take appropriate corrective action if sexual harassment or discriminatory/unlawful treatment is observed or reported. Ensures all subordinate complete required EEO training prior to the end of the fiscal year. Provide EEO policy and mandatory training requirements to all new employees within 60 days of their entrance on duty (EOD).
<b>C.3.b</b>	Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:		
<b>C.3.b.1</b>	Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]	YES	
<b>C.3.b.2</b>	Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]	YES	
<b>C.3.b.3</b>	Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]	YES	
<b>C.3.b.4</b>	Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]	YES	
<b>C.3.b.5</b>	Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	YES	



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<b>C.3.b.6</b>	Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]	YES	
<b>C.3.b.7</b>	Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]	NO	Awards panel is still not utilized. No neutral, transparent process is followed for awards selection for honorary and end of year awards (e.g. Employees of the Year, Team of the Year). Unilateral decision made to disregard previously followed awards procedures without any notification or discussion with EEO. EEO Officer is not included on all PMRC correspondence. EEO is not included in certain strategic planning or other senior level meetings. EEO operates in a vacuum. Second year for this deficiency.
<b>C.3.b.8</b>	Support the anti-harassment program in investigating and correcting harassing conduct. [see Enforcement Guidance, V.C.2]	YES	
<b>C.3.b.9</b>	Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]	YES	
<b>C.3.c</b>	Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]	YES	
<b>C.3.d</b>	When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.4 - The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>C.4.a</b>	Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	YES	
<b>C.4.b</b>	Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and	YES	



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	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]		
<b>C.4.c</b>	Does the EEO office have timely access to accurate and complete data (e.g., demographic data for workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]	YES	
<b>C.4.d</b>	Does the HR office timely provide the EEO office have timely access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	YES	
<b>C.4.e</b>	Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:		
<b>C.4.e.1</b>	Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	YES	
<b>C.4.e.2</b>	Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	YES	
<b>C.4.e.3</b>	Develop and/or provide training for managers and employees? [see MD-715, II(C)]	YES	
<b>C.4.e.4</b>	Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	YES	
<b>C.4.e.5</b>	Assist in preparing the MD-715 report? [see MD-715, II(C)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.5 - Following a finding of discrimination, the agency explores whether it should take a disciplinary action.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>C.5.a</b>	Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? 29 CFR § 1614.102(a)(6); see also <u>Douglas v. Veterans Administration</u> , 5 MSPR 280 (1981)	YES	
<b>C.5.b</b>	When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	YES	





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<b>C.5.c</b>	If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct? [see MD-715, II(C)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>C.6 - The EEO office advises managers/supervisors on EEO matters.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>C.6.a</b>	Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.	YES	Quarterly (usually in Command & Staff)
<b>C.6.b</b>	Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	YES	





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<b>Essential Element D: Proactive Prevention</b> <b>This element requires that the agency head make early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity.</b>			
 <b>Compliance Indicator</b>	<b>D.1 - The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
 <b>Measures</b>			
<b>D.1.a</b>	Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	YES	
<b>D.1.b</b>	Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	YES	
<b>D.1.c</b>	Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR 1614.203(d)(1)(iii)(C)]	YES	
 <b>Compliance Indicator</b>	<b>D.2 - The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
 <b>Measures</b>			
<b>D.2.a</b>	Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	YES	
<b>D.2.b</b>	Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	YES	
<b>D.2.c</b>	Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	YES	



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<b>D.2.d</b>	Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>D.3 - The agency establishes appropriate action plans to remove identified barriers.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>D.3.a.</b>	Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	YES	
<b>D.3.b</b>	If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]	YES	
<b>D.3.c</b>	Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>D.4 - The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>D.4.a</b>	Does the agency post its affirmative action plan on its public website? [see 29 CFR 1614.203(d)(4)] Please provide the internet address in the comments.	YES	<a href="https://www.lrb.usace.army.mil/Careers/EO/">https://www.lrb.usace.army.mil/Careers/EO/</a>
<b>D.4.b</b>	Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR 1614.203(d)(1)(i)]	YES	
<b>D.4.c</b>	Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR 1614.203(d)(1)(ii)(A)]	YES	



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<b>D.4.d</b>	Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR 1614.203(d)(7)(ii)]	YES	
<b>Essential Element E: Efficiency</b> <b>This element requires the agency head to ensure that there are effective systems for evaluating the impact and effectiveness of the agency's EEO programs and an efficient and fair dispute resolution process.</b>			
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>E.1.a</b>	Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	YES	
<b>E.1.b</b>	Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?	YES	
<b>E.1.c</b>	Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?	YES	
<b>E.1.d</b>	Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.	YES	
<b>E.1.e</b>	Does the agency ensure all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?	YES	
<b>E.1.f</b>	Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?	YES	
<b>E.1.g</b>	If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?	YES	
<b>E.1.h</b>	When the complainant does not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?	YES	





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<b>E.1.i</b>	Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?	YES	
<b>E.1.j</b>	If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.	YES	
<b>E.1.k</b>	If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]	YES	
<b>E.1.l</b>	Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.2 - The agency has a neutral EEO process.</b>	<b>Measure Met?</b>  <b>(Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>E.2.a</b>	Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)]	YES	
<b>E.2.b</b>	When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/location of the attorney who conducts the legal sufficiency review in the comments column.	YES	Huntington District Office of Counsel
<b>E.2.c</b>	If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]	YES	
<b>E.2.d</b>	Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]	YES	
<b>E.2.e</b>	If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? EEOC	YES	




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	Report, <i>Attaining a Model Agency Program: Efficiency</i> (Dec. 1, 2004)		
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.3 - The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.</b>	<b>Measure Met? (YES/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>E.3.a</b>	Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	YES	
<b>E.3.b</b>	Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]	YES	
<b>E.3.c</b>	Does the agency encourage all employees to use ADR, where ADR is appropriate? [see MD-110, Ch. 3(IV)(C)]	YES	
<b>E.3.d</b>	Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]	YES	
<b>E.3.e</b>	Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]	YES	
<b>E.3.f</b>	Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.4 - The agency has effective and accurate data collection systems in place to evaluate its EEO program.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>E.4.a</b>	Does the agency have systems in place to accurately collect, monitor, and analyze the following data:		
<b>E.4.a.1</b>	Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	YES	




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<b>E.4.a.2</b>	The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	YES	
<b>E.4.a.3</b>	Recruitment activities? [see MD-715, II(E)]	YES	
<b>E.4.a.4</b>	External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]	YES	Note: There is a deficiency, but it exists at the Agency-Level (Army).
<b>E.4.a.5</b>	The processing of requests for reasonable accommodation? [29 CFR § 1614.203(d)(4)]	YES	
<b>E.4.a.6</b>	The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	YES	
<b>E.4.b</b>	Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>E.5 - The agency identifies and disseminates significant trends and best practices in its EEO program.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>E.5.a</b>	Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.	YES	
<b>E.5.b</b>	Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.	YES	Regularly discuss ideas for programs with colleagues at NASA and Navy. For example, asked for recommendations on professional trainers in areas of EEO and Diversity.
<b>E.5.c</b>	Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]	YES	
<b>Essential Element F: Responsiveness and Legal Compliance</b> <b>This element requires federal agencies to comply with EEO statutes and EEOC regulations, policy guidance, and other written instructions.</b>			
 <b>Compliance Indicator</b>	<b>F.1 - The agency has processes in place to ensure timely and full compliance with EEOC Orders and settlement agreements.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.



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<b>Measures</b>			
<b>F.1.a</b>	Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	YES	
<b>F.1.b</b>	Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	YES	
<b>F.1.c</b>	Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	YES	
<b>F.1.d</b>	Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	YES	
<b>F.1.e</b>	When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	YES	
	<b>F.2 - The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
	<b>Measures</b>		
<b>F.2.a</b>	Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	YES	
<b>F.2.a.1</b>	When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	YES	
<b>F.2.a.2</b>	When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	YES	
<b>F.2.a.3</b>	When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	YES	

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<b>F.2.a.4</b>	Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	YES	
 <b>Compliance Indicator</b>   <b>Measures</b>	<b>F.3 - The agency reports to EEOC its program efforts and accomplishments.</b>	<b>Measure Met? (Yes/No)</b>	<b>Comments</b>  A "No" response to any measure in Part G is a program deficiency requiring a Part H.
<b>F.3.a</b>	Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	YES	Agency-level action
<b>F.3.b</b>	Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	YES	Agency-level action <a href="https://www.army.mil/article/236698">https://www.army.mil/article/236698</a>

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**715 - PART H**  
**EEO Plan To Attain the Essential Elements of a Model EEO Program**

This section provides updates on deficiencies discussed in last year's report, as well as lays out a path forward for deficiencies noted on this year's MD-715.

Deficiencies Identified in FY 2020 on the Part G Checklist:

B.1.d: EEO Director does not regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues.

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)]

B.6.d Senior managers do not successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans. [29 CFR § 1614.102(a)(5)]

C.3.b.7 Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]

**Statement of Model Program Essential Element Deficiency**

Type of Program Deficiency	Brief Description of Program Deficiency
EEO Director does not regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues [see MD-715, II(B.1.d)]	EEO is included in Command and Staff Briefings, PMRC, and updates to the Staffing Plan. EEO is not included in budget meetings outside of the EEO Office's own budget, discussions in senior-level staff meetings on personnel, recruitment, outreach, and diversity/inclusion, or any meetings on technology.

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

Date Initiated (mm/dd/yyyy)	Objective	Target Date (mm/dd/yyyy)	Modified Date (mm/dd/yyyy)	Date Completed (mm/dd/yyyy)
10/02/2020	Identifying and ensure that EEO is present for all regularly recurring senior-level meetings where issues	01/01/2021		

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<b>Date Initiated</b> (mm/dd/yyyy)	<b>Objective</b>	<b>Target Date</b> (mm/dd/yyyy)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Date Completed</b> (mm/dd/yyyy)
	are discussed that involve or impact EEO.			

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan?</b> (Yes or No)
Commander	LTC Adams	Unknown
Deputy Commander	MAJ Billmann	Unknown
Chief, TSD	Dave Conboy	Unknown
Chief, P3M	Dave Romano	Unknown

**Planned Activities Toward Completion of Objective**

<b>Target Date</b> (mm/dd/yyyy)	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing?</b> (Yes or No)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Completion Date</b> (mm/dd/yyyy)
12/01/2020	Identify regularly occurring senior level meetings that generally include issues that EEO should be included in conversation.	Yes		
02/01/2021	Add EEO Officer to invitation list for all meetings identified above	No, depending on how many meetings are identified and if it imposes a significant burden on EEO Officer's time to attend and continue to do required work of EEO Office.		

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<b>Target Date</b> (mm/dd/yyyy)	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing?</b> (Yes or No)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Completion Date</b> (mm/dd/yyyy)
06/30/2021	Review staffing plan for EEO Office to ensure that, in light of taking on additional work of participating in senior level meetings, there is adequate staffing with one professional to do all of the required and expected work.	TBD		

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>

**Statement of Model Program Essential Element Deficiency**

<b>Type of Program Deficiency</b>	<b>Brief Description of Program Deficiency</b>
Supervisors and managers have not been given/possess adequate training and interpersonal skills in order to effectively supervise in a workplace with diverse employees and avoid disputes arising from ineffective communications [see MD-715, II(B.5.a.4)]	Based on contacts, walk-in traffic, and the number of questions and comments the EEO Office has received concerning Project Inclusion, the District has not proactively positioned itself and invested in providing supervisors and managers with effective Diversity, Equity, and Inclusion training that has provided the necessary skill and awareness to ensure supervisors and managers are positioned to effectively supervise and coach employees on behaviors and attitudes that contradict an inclusive environment. Such training should not be a one-time event but rather, periodically given and required as a means of ensuring the information is reinforced.

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

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<b>Date Initiated</b> (mm/dd/yyyy)	<b>Objective</b>	<b>Target Date</b> (mm/dd/yyyy)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Date Completed</b> (mm/dd/yyyy)
10/02/2020	Identify trainers and training for supervisors, managers in communication, cultural awareness, cultural competency, navigating work in a world of social unrest.	01/01/2021		

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan?</b> (Yes or No)
Commander	LTC Adams	Unknown
Deputy Commander	MAJ Billmann	Unknown
EEO Officer	Judith Phillips	Yes
Diversity Champions	Colin Ozanne, Kathy Fulle	Unknown
Training Officer	Kristen Tremblett	Unknown

**Planned Activities Toward Completion of Objective**

<b>Target Date</b> (mm/dd/yyyy)	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing?</b> (Yes or No)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Completion Date</b> (mm/dd/yyyy)
01/30/2021	Baseline Assessment of Workforce - DEI	Yes		
03/15/2021	DEI Training for Supervisors meetings identified above	Yes		
03/15/2021	Cultural Competency Training - mandatory for Diversity Team, Special	Yes		

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<b>Target Date</b> (mm/dd/yyyy)	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing?</b> (Yes or No)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Completion Date</b> (mm/dd/yyyy)
	Emphasis Program Managers, and nonmandatory for all District employees and Any EEO Personnel in LRD			
06/01/2021	Include EEO Office in planning for annual training plan for supervisors and managers.	Yes		

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>

**Statement of Model Program Essential Element Deficiency**

<b>Type of Program Deficiency</b>	<b>Brief Description of Program Deficiency</b>
Senior managers do not successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans [29 CFR § 1614.102(a)(5)][see MD 715 II, B.6.d]	O Plan initiative includes a comment on Diversity and Inclusion. However, despite years of sending out the MD 715, posting it on the intranet and external website, putting sections of it in The Charger and Command and Staff, most supervisors and managers simply do not read the MD 715 – in particular, the deficiencies and action items – and do not attempt to include the EEO Office or EEO Action Plan Objectives into strategic planning for the District.

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

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**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

<b>Date Initiated</b> (mm/dd/yyyy)	<b>Objective</b>	<b>Target Date</b> (mm/dd/yyyy)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Date Completed</b> (mm/dd/yyyy)
10/02/2020	Identify all areas in District's strategic plans, including OPlan, that are candidates for incorporating one or more EEO Action Plan Objectives	01/01/2021		

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan?</b> (Yes or No)
Commander	LTC Adams	Unknown
Deputy Commander	MAJ Billmann	Unknown
DCC Senior Leaders	David Conboy, David Romano Kathy Fulle Colin Ozanne	Yes
Strategic Planner	Roger Burch	

**Planned Activities Toward Completion of Objective**

<b>Target Date</b> (mm/dd/yyyy)	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing?</b> (Yes or No)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Completion Date</b> (mm/dd/yyyy)
01/01/2021	Baseline Assessment of District's Strategic Plans for opportunities to incorporate EEO Objectives/Action Plan Activities	Yes		

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<b>Target Date</b> (mm/dd/yyyy)	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing?</b> (Yes or No)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Completion Date</b> (mm/dd/yyyy)
02/15/2021	Draft of proposed updates circulated among EEO Office and Diversity Team for review and approval	Yes		
03/15/2021	EEO Action Plan Activities memorialized in various plans.	Yes		

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
FY 2020	None

**Statement of Model Program Essential Element Deficiency**

- **Essential Element C:** Management and program accountability

<b>Type of Program Deficiency</b>	<b>Brief Description of Program Deficiency</b>
<b>Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C.3.b.7)]</b>	Annually, the MD 715 is posted on the intranet and external website, sections reposted into The Charger as well as into the slide deck at Command and Staff. However, most supervisors and managers simply do not read the MD 715 and do not implement, support, or even include EEO in discussions concerning identifying and removing barriers to equal opportunity. EEO is routinely cut out of emails and meetings; there is a disconnect between management and EEO in this area.

**Objective and Target Date:** This deficiency is worthy of an additional paragraph given it is a situation that continues to erode in recent years. Managers and supervisors have put into place numerous processes and practices towards achieving equal opportunity in the workplace. However, there has been a decline that has resulted in this being a deficiency on and off for three years. The

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topic of the awards selection process and failure to use an awards selection panel is a clear deficiency. A process has been in place that was practiced annually beginning in FY 2013. Awards panels are used for Employee Recognition Awards, with the EEO Officer sitting in on panel meetings to review and rate the application packages against clearly articulated standards to ensure the process is objective, and recommendations are based on merit without favoritism and bias – unintentional or other – influencing the decision maker. In FY 2018 the Panel's recommendations were not followed without explanation provided for the delineation from the process. In FY 2019, senior leaders decided they would screen the applications first before they went into the pool thereby creating the perception of favoritism and bias. In FY 2020 changes were made to the awards process without including EEO; despite repeated requests for information on what changes have been implemented, awards process went forward without any effort to follow previously followed processes or making any attempt to keep EEO informed at any point in the process. Instead, decisions were made by senior leaders and acted upon and EEO not notified until after the fact.

Moreover, the EEO Office is requested after the fact to gather data for DCC as a way of the DCC continuing discussions and creating plans that impact recruitment, retention, and the population of the District. It is ironic that rather than simply include EEO in these conversations and spend the time focused on action items and providing input to the MD-715 on tailoring action items with specific dates, conversations and meetings occur without the subject matter expert involved or even given a heads up that such conversations are happening until after the fact. This underscores that the EEO Office frequently operates in a vacuum in its efforts to improve working conditions, eliminate discrimination and bias, and improve diversity, equity and inclusion at the District.

**Responsible Official(s)**

<b>Title</b>	<b>Name</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
Commander	LTC Adams	Unknown
Deputy Commander	MAJ Billmann	Unknown
EEO Officer	Judith Phillips	Yes
PMC Members	Colin Ozanne, Kathy Fulle, David Conboy, David Romano	Unknown
Supervisors	Every Supervisor in Buffalo District	Unknown

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

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<b>Date Initiated</b> (mm/dd/yyyy)	<b>Objective</b>	<b>Target Date</b> (mm/dd/yyyy)	<b>Modified Date</b> (mm/dd/yyyy)	<b>Date Completed</b> (mm/dd/yyyy)
10/02/2018	Transparent SOPs for reoccurring activities such as Employee Recognition Awards, Selection to LDP II, III.	01/01/2021		
10/02/2020	Agreement reached with EEO regarding senior level meetings EEO should be invited to attend.	01/01/2021		
10/02/2020	Senior leaders, managers, and supervisors provide input into MD 715 for 2021	06/01/2021		
10/02/2020	Create simple process to redact names/addresses from the resume review portion of the selection process.	11/15/2020		
10/02/2020	Hiring Officials commit to selecting one new recruiting source off of the EEO recruitment list to specifically target as part of the vacancy process.	11/15/2020		
10/02/2020	The command will review plans for hiring GS-12 positions and higher at the PMC, including selection board membership. For GS-12 and higher, selection panels should include a member from outside LRB. At a minimum, the selection panel will include a member from outside the position's division.	11/15/2020		
10/02/2020	Concerted effort to ensure female representation on every hiring panel.	11/15/2020		

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**Responsible Official:** Senior Leaders  
**Objective Initiated:** November 1, 2018

**Planned Activities Toward Completion of Objective**

<b>Target Date</b> (mm/dd/yyyy)	<b>Planned Activities</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date</b> (mm/dd/yyyy)	<b>Completion Date</b> (mm/dd/yyyy)
01/01/2021	Signed SOP for awards	Yes		
01/01/2021	EEO is invited to senior level meetings where recruitment, diversity, outreach, and strategic planning are topics of conversation.	No		
10/02/2020	Review of staffing plan for EEO Office, taking into consideration whether there has been additional work, any support for action items, and success planning.	06/01/2020		

**Report of Accomplishments**

<b>Fiscal Year</b>	<b>Accomplishments</b>
FY 2020	None

**715 - Part I-1**  
**EEO Plan To Eliminate Identified Barrier**

A low participation rate should be taken as a "trigger," a situation which alerts the agency to the possible existence of a barrier to equal opportunity. An agency should identify the likely factor (or combination of factors) which has adversely affected the employment opportunities of the group in question. Depending on the nature of the potential problem, an agency could consider a variety of questions. For example, if a particular group has a low participation rate in a particular occupation, the agency should determine whether recruitment efforts are resulting in a diverse pool of applicants.

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

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Source of the Trigger	Specific Workforce Data Table	Narrative Description of Trigger
Workforce data tables indicate Women and all other Ethnic and Racial groups are below the RCLF percentage and the federal average.	A1	Woman and almost all other Ethnic and Racial groups have lower than expected participation rates in the overall workforce, and low hiring rates for certain major occupations when compared to the RCLF and CLF.

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

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

**Barrier Analysis Process**

Workforce data is analyzed against the RCLF and CLF. There is no applicant flow data available to access the cause of the observed disparities.

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Workforce Data Tables	Yes	Disparity in numbers of Women and Minorities and limited

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<b>Sources of Data</b>	<b>Source Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>
		analysis to meet Part J requirements
Complaint Data (Trends)	Yes	Annual 462 Report and EEO data on contacts/walk-in traffic was reviewed
Grievance Data (Trends)	Yes	None reported that impacted EEO
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	Yes	Information from anti-harassment complaint process FY 2018-2020
Climate Assessment Survey (e.g., FEVS)	Yes	Yes, info collected on SHARP, diversity and inclusion, Command Climate Survey, FEVS
Exit Interview Data	Yes	Ways to improve outreach to PWDs and PWTDS; suggestions for improvement with respect to diversity and inclusion and recruitment
Focus Groups	N/A	
Interviews	No	
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	No	
Other (Please Describe)	No	

**Status of Barrier Analysis Process**

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<b>Barrier Analysis Process Completed?</b> <b>(Yes or No)</b>	<b>Barrier(s) Identified?</b> <b>(Yes or No)</b>
No, barrier analysis will never be completed without applicant flow data that has not been made available by Army.	No

**Statement of Identified Barrier(s)**

<b>Description of Policy, Procedure, or Practice</b>
Representation is driven by past hires, current recruitment, current staffing, retirement and resignations. Some of the disparities can be attributed to the District's geographic location as the District has had some issues with candidates being willing to relocate to the District. However, no attempt has been made to survey our hires for a five-year period to determine schools/geographic areas that are providing a pipeline, or how new hires learned about the vacancy announcement. No attempt has been made to ensure applications are redacted of information that can be impacted by unconscious or conscious bias. There is no conformity between divisions on best practices – e.g. candidate letter; redacting information; revamping interview questions with an eye towards increasing diversity and inclusion.

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

<b>Objective</b>	<b>Date Initiated (mm/dd/yyyy)</b>	<b>Target Date (mm/dd/yyyy)</b>	<b>Sufficient Funding &amp; Staffing? (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Date Completed (mm/dd/yyyy)</b>
Increase the number of Women and other Ethnic and Racial groups when compared to the CLF and RCLF.	10/20/2016	12/31/2022	No		

**Responsible Official(s)**

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<b>Title</b>	<b>Performance Standards Address the Plan? (Yes or No)</b>
Senior leaders, hiring officials	No

**Planned Activities Toward Completion of Objective**

<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
12/2/2018	More aggressive outreach utilizing STEM activities and recruitment at colleges/universities with diverse racial and ethnic populations, partnerships with schools.	12/2/2021	
12/2/2020	Utilize Pathways internships to increase number of underrepresented populations.		09/30/2020
12/1/2020	Create a strategy for outreach to Women and other Racial and Ethnic groups to showcase USACE as an employer of choice. Identify and develop contacts with affinity and community organizations to use for recruitment. Coordinate with other Districts on recruitment for particular series. Outreach to all-female high schools and colleges in appropriate majors for underrepresented occupations. Conduct focus group with female employees for ideas on how to improve recruitment and advancement.	09/25/2018	
10/01/2019	Greater focus on "grow from within" the LRB. Ideas being discussed include: flash mentoring event focusing on interview skills; developing eMentors and mentors from other districts and outside of the agency; educating supervisors on use of details to develop someone in order to provide an opportunity for that person to compete equally; development of job shadowing opportunities across the district.		
10/01/2020	Command, EEO, SEPMs will develop questions related to all areas of employment and career development to use with exit interviews.		03/01/2020

**Report of Accomplishments**

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<b>Fiscal Year</b>	<b>Accomplishments</b>
FY 2019	Increased utilization of Pathways internships to increase number of underrepresented populations. Hiring officials and EEO worked together on outreach for Pathways positions to ensure wide distribution, advance notice, and information to assist candidates with applying for federal jobs.
FY 2019	Supervisor Training featured panel of female executive coaches providing tips and advice on developing employees. Women's History Month featured panel discussing tips for interviewing; Interviewing in a Flash program to provide hands-on experience answering interview questions and getting on-the-spot feedback. Supervisors are utilizing details whenever possible to provide experience to inexperienced employees; flash mentoring, interview tips and videotaped mock interviews are utilized with LDP II participants to help "grow from within" USACE.
FY 2019	EEO-sponsored training on Diversity, Cultural Competency, Resilience, Institutional Racism.
FY 2020	Virtual Mentoring Activity conducted with LDP II
FY 2020	EEO partners with St. Paul District to pilot small virtual mentoring program in FY 2021
FY 2020	Creation of National Recruitment List

**715 Part I-2**

Part I.2 was replaced with Part J, Section VII: Identification and Removal of Barriers.

**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), Equal Employment Opportunity Commission (EEOC) regulations (29 C.F.R. § 1614.203(e)) and Management Directive (MD) 715 require agencies to describe how their plan will improve the recruitment, hiring, advancement, and retention of applicants and employees with disabilities. All agencies, regardless of size, must complete this Part of the MD 715 report.

**715 Part I-2**

Part I.2 was replaced with Part J, Section VII: Identification and Removal of Barriers.

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

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To capture agencies' affirmative action plan for persons with disabilities (PWD) and persons with targeted disabilities (PWTD), Equal Employment Opportunity Commission (EEOC) regulations (29 C.F.R. § 1614.203(e)) and Management Directive (MD) 715 require agencies to describe how their plan will improve the recruitment, hiring, advancement, and retention of applicants and employees with disabilities. All agencies, regardless of size, must complete this Part of the MD-715 report.

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

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

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

a. Cluster GS-1 to GS-10 (PWD)	Yes		No	X
b. Cluster GS-11 to SES (PWD)	Yes	X	No	

Review of workforce data indicates that PWDs are participating at a rate of 15.25% for the entire District. PWDs are participating at the rate of 26.87% in the GS-1 through GS-10 and non-GS positions, and at the rate of 10.96% in the GS-11 through GS-15 grades. The higher grades (GS-11 through S-15) are lower than expected when compared to the 12 percent onboard regulatory goal. There is not an effort made to seek out qualified individuals with disabilities for the higher-graded positions. The majority of attempts to increase the number of individuals with disabilities have been made utilizing the entry-level positions.

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

Based on the analysis of District workforce by disability grouping, PWTDs (aka IWTDs) are participating at the rate of 5.97% in the grouping of GS-1 through GS-10 and non-GS grades. However, the participation rate in the and 1.31% in the GS 10 through GS-15 grades is 1.35% - lower than expected when compared to the 2% onboard regulatory goal and indicating that the District is doing a better job at the entry level for PWTDs than in past years, but needs to focus on improvements in upward mobility and bringing in PWTDs in the higher grades.

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

These numeric goals are included in the annual MD-715 report, which is sent to the workforce via email as well as available on the District's intranet site, charts and other information included in The Charger, as well as socialized during PMRC, Command & Staff, and other meetings involving Special Emphasis Program Managers and Diversity Team Members. The EEO Office routinely discusses Schedule A hiring and use of the WRP database when sought out by hiring officials for assistance in filling vacancies. The EEO Office shares information on Schedule A hiring when working with schools or organizations to discuss upcoming vacancies.

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**Section II: Model Disability Program**

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

**A. Plan to Provide Sufficient and Competent Staffing for the Disability Program.**

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

	Yes	X	No	
The EEO Office has one full time EEO Officer who is responsible for the EEO program for the entire District and hired a G&A Support Admin to manage the reasonable accommodation program and responsibilities as the Disability Program Manager. This is an important step towards the EEO Office being in compliance with the EEOC dictum to have a firewall between the EEO Officer and the Reasonable Accommodations Program Manager.				

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

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTB	1			Nannette Daniels, CPAC
Answering questions from the public about hiring authorities that take disability into account	2			Judith Phillips, EEO Nannette Daniels, CPAC
Processing reasonable accommodation requests from applicants and employees	1			LaVette Durham, EEO
Section 508 Compliance	1			Marcus Spade, HQ

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Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Architectural Barriers Act (ABA) Compliance				HQ USACE (no contact provided)
Special Emphasis Program for PWD and PWTD	1			LaVette Durham, EEO

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

	Yes		No	X
The employee handling the Reasonable Accommodations Program was hired in May 2020, during the pandemic. She has had basic reasonable accommodations training from EEOC but needs to take DEOMI's training for Disability Program Managers. In the interim, she is considered to be in training to take over the Reasonable Accommodations Program.				

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

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

	Yes	X	No	
SEPM and Reasonable Accommodation Training are planned for FY 2021. A successful disability program will require significant efforts if the District is to continue to reach and exceed federal goals on the employment of PWDs and PWTDs at the higher graded levels in the District, as well as to maintain and grow the current number of PWDs and PWTDs in the District.				

**Section III: Plan to Recruit and Hire Individuals with Disabilities**

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

A. Plan to Identify Job Applicants with Disabilities.

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

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Workforce Recruitment Program  
POCs on college campuses, including those that work with student veterans

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.

Schedule A; Wounded Warriors On-line Resume Inventory; 30% Disabled Veteran Appointment Authority; Veterans Employment Opportunities Act; Veterans Recruitment Authority

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.

CPAC handles applicants who qualify under non-competitive authorities and will forward such applications to relevant hiring officials including as early as when a potential vacancy is discussed at the PMRC.

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

	Yes	X	No	
Schedule A is covered in meetings with managers and supervisors, PMRC, Command & Staff as needed. It has been covered one-on-one with supervisors during planning meetings to fill vacancies. Information on Schedule A is available on the District intranet site and the District external website. When hiring officials contact the EEO Office, information such as accessing the WRP database is shared. It is one of the topics being considered for deskside (or, one-on-one training) with supervisors in FY 2021.				

**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.

The Special Emphasis Program Managers have suggested bringing in POCs for agencies (state, local and federal as well as schools) that work with adults with disabilities for a workshop at the District on Schedule A hiring, and the federal hiring process. Once the EEO Office has sufficient, fully trained staff, plans on conducting such a workshop in Buffalo and in Cleveland can move forward.

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**C. Progression Toward Goals (Recruitment and Hiring)**

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

a. New Hires for Permanent Workforce (PWD)	Yes		No	
b. New Hires for Permanent Workforce (PWTD)	Yes		No	
With no applicant flow data available, the District cannot determine at which rate or in what occupation PWTDs/PWDs are apply for jobs. Of the 21 accessions (Term Appointments, Excepted Appointments, and Career Conditional Appointments) at the time of the data pull, 2 self-identified 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.

a. New Hires for MCO (PWD)	Yes		No	
b. New Hires for MCO (PWTD)	Yes		No	
Army has not made the applicant pool available. The District has no way of knowing whether PWTDs/PWDs are even applying for jobs or at what rate or in what occupation. However, of 21 accessions, 2 self-identified 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.

a. Qualified Applicants for MCO (PWD)	Yes		No	
b. Qualified Applicants for MCO (PWTD)	Yes		No	
Army has not made the applicant pool available. The District cannot determine the rate at which PWTD/PWD apply for positions without applicant flow data.				

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

a. Promotions for MCO (PWD)	Yes		No	
b. Promotions for MCO (PWTD)	Yes		No	
Army has not made the applicant pool available.				

**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

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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.

**B. Career Development Opportunities**

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

Details; temporary (nte) appointments; LDP I, II and III, Mentoring Program

2. In the table below, please provide the data for career development opportunities that require competition and/or supervisory recommendation/approval to participate. Note: Supervisory approval is required for all programs. There is no tracking system for applicants who have not received supervisory approval as they are not part of the pool to be considered (they cannot apply).

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#) 22	Selectees (#) 22	Applicants (%) 9.09	Selectees (%) 9.09	Applicants (%) 0	Selectees (%) 0
Internship Programs  (Pathways Intern)	Applicant flow data on Pathways Interns is not available.					
Mentoring Programs	Any employee wishing to participate in mentoring can participate with supervisory approval. Without supervisory approval, the employee cannot participate. There is no tracking system available to track every interested employee, regardless of supervisory approval status. In FY 2020, 29 employees participated as mentees. Of those, 2 or 6.9% self-identified as a PWD. Of the 27 mentors, 7 (or 27%) self-identified as a PWD.					
Training Programs	There is no application available that captures applicant information for training programs.					
Detail Programs	There is no tracking mechanism to capture applicant flow data for detail programs.					

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

a. Applicants (PWD)	Yes		No	
b. Selections (PWD)	Yes		No	
Applicant flow data is not available for these programs. However, selections in FY 2020 indicate 2 PWDs.				

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

a. Applicants (PWTD)	Yes		No	
b. Selections (PWTD)	Yes		No	
The lack of applicant flow data, along with limited tracking for career development programs, precludes any accurate data analysis. However, the leadership development programs (LDP I, LDP II, LDP III, and Emerging Leaders) had a total of 22 participants. Of these, 0 self-identified as being a PWTD.				

**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.

**Performance Time Off Awards**

a. Awards, Bonuses, and Incentives (PWD)		Yes		No	X
b. Awards, Bonuses, and Incentives (PWTD)		Yes	X	No	
Subtract Total # of PWD or PWTD from Total # of District Recipients		Inclusion Rate (Divide Total # of PWD or PWTD by their total # in the District Workforce)	Benchmark-Inclusion Rate (Divide the District # w/o PWD or PWTD who received awards into their perspective # in permanent workforce)	Triggers – is Inclusion rate for PWD or PWTD less than Inclusion rate for Persons without Disabilities?	
PWD (Performance Time Off Awards)	224 – 43 = 181	35/43 = 81.39%	181/252 = 71.83%	No	
PWTD (Performance Time Off Awards)	224 - 7= 214	2/7 = 28.57%		Yes	
PWTD are not receiving awards at the expected rates when compared do the corresponding inclusion rate.					

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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.

**Quality Step Increases (QSI)**

a. Awards, Bonuses, and Incentives (PWD)			Yes	X	No	
b. Awards, Bonuses, and Incentives (PWTD)			Yes	X	No	
Subtract Total # of PWD or PWTD from Total # of District Recipients	Inclusion Rate (Divide Total # of PWD or PWTD who received awards by their total # in the District Workforce)	Benchmark-Inclusion Rate (Divide the District # w/o PWD or PWTD who received awards into their perspective # in permanent workforce)	Triggers – is Inclusion rate for PWD or PWTD less than Inclusion rate for Persons without Disabilities?			
PWD (QSI)	16-2 = 14	2/43 = 4.65%	14/252 = 5.55%	Yes		
PWTD (QSI)	16-0 = 16	0/7 = 0%		Yes		
PWD and PWTD are not receiving awards at the expected rates when compared do the corresponding inclusion rate.						

**Performance Awards - Cash**

a. Awards, Bonuses, and Incentives (PWD)			Yes		No	X
b. Awards, Bonuses, and Incentives (PWTD)			Yes		No	X
Subtract Total # of PWD or PWTD from Total # of District Recipients	Inclusion Rate (Divide Total # of PWD or PWTD by their total # in the District Workforce)	Benchmark-Inclusion Rate (Divide the District # w/o PWD or PWTD who received awards into their perspective # in permanent workforce)	Triggers – is Inclusion rate for PWD or PWTD less than Inclusion rate for Persons without Disabilities?			
PWD (Performance Awards - Cash)	217 - 43 = 174	35/43 = 81.39%	174/252 = 69.05%	No		
PWTD (Performance Awards - Cash)	217 - 5 = 212	5/7 = 71.42%		No		
There is no trigger in this area.						

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.

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**Other Awards (e.g. On the Spot, Special Act)**

a. Awards, Bonuses, and Incentives (PWD)		Yes		No	X
b. Awards, Bonuses, and Incentives (PWTD)		Yes	X	No	
Subtract Total # of PWD or PWTD from Total # of District Recipients	Inclusion Rate (Divide Total # of PWD or PWTD by their total # in the District Workforce)	Benchmark-Inclusion Rate (Divide the District # w/o PWD or PWTD who received awards into their perspective # in permanent workforce)	Triggers – is Inclusion rate for PWD or PWTD less than Inclusion rate for Persons without Disabilities?		
PWD	138-43 = 95	25/43 = 58.14%	93/252 = 41.51%	No	
PWTD	138-7 = 131	2/7 = 28.57%		Yes	
PWTD are not receiving awards at the expected rates when compared do the corresponding inclusion rate.					

**D. Promotions**

1. Does your agency have a trigger involving PWD among the qualified *internal* applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box.

a. SES	i. Qualified Internal Applicants (PWD)	Yes		No	
	ii. Internal Selections (PWD)	Yes		No	
b. Grade GS-15	i. Qualified Internal Applicants (PWD)	Yes		No	
	ii. Internal Selections (PWD)	Yes		No	
c. Grade GS-14	i. Qualified Internal Applicants (PWD)	Yes		No	
	ii. Internal Selections (PWD)	Yes		No	
d. Grade GS-13	i. Qualified Internal Applicants (PWD)	Yes		No	
	ii. Internal Selections (PWD)	Yes		No	
Triggers could not be identified because the applicant flow data has not been made available by Army and CPAC could not provide details on the Qualified Internal Applicants.					

2. Does your agency have a trigger involving PWTD among the qualified *internal* applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box.

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

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	ii. Internal Selections (PWTD)	Yes		No	
Triggers could not be identified because applicant flow data has not been made available by Army and CPAC could not provide details on the Qualified Internal Applicants.					

3. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box.

a. New Hires to SES (PWD)	Yes		No	
b. New Hires to GS-15 (PWD)	Yes		No	
c. New Hires to GS-14 (PWD)	Yes		No	
d. New Hires to GS-13 (PWD)	Yes		No	
Triggers could not be identified because applicant flow data has not been made available by Army.				

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box.

a. New Hires to SES (PWTD)	Yes		No	
b. New Hires to GS-15 (PWTD)	Yes		No	
c. New Hires to GS-14 (PWTD)	Yes		No	
d. New Hires to GS-13 (PWTD)	Yes		No	
Triggers could not be identified because applicant flow data has not been made available by Army.				

5. Does your agency have a trigger involving PWD among the qualified *internal* applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Executives	i. Qualified Internal Applicants (PWD)	Yes		No	
	ii. Internal Selections (PWD)	Yes		No	
b. Managers	i. Qualified Internal Applicants (PWD)	Yes		No	
	ii. Internal Selections (PWD)	Yes		No	
c. Supervisors	i. Qualified Internal Applicants (PWD)	Yes		No	
	ii. Internal Selections (PWD)	Yes		No	
Triggers could not be identified because the applicant flow data has not been made available by Army and CPAC could not provide details on the Qualified Internal Applicants.					

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6. Does your agency have a trigger involving PWTD among the qualified *internal* applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.

a. Executives	i. Qualified Internal Applicants (PWTD)	Yes		No	
	ii. Internal Selections (PWTD)	Yes		No	
b. Managers	i. Qualified Internal Applicants (PWTD)	Yes		No	
	ii. Internal Selections (PWTD)	Yes		No	
c. Supervisors	i. Qualified Internal Applicants (PWTD)	Yes		No	
	ii. Internal Selections (PWTD)	Yes		No	
Triggers could not be identified because applicant flow data has not been made available by Army and CPAC could not provide details on the Qualified Internal Applicants.					

7. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the selectees for new hires to supervisory positions? If "yes", describe the trigger(s) in the text box.

a. New Hires for Executives (PWD)	Yes		No	
b. New Hires for Managers (PWD)	Yes		No	
c. New Hires for Supervisors (PWD)	Yes		No	
Triggers could not be identified because the applicant flow data has not been made available by Army.				

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the selectees for new hires to supervisory positions? If "yes", describe the trigger(s) in the text box.

a. New Hires for Executives (PWTD)	Yes		No	
b. New Hires for Managers (PWTD)	Yes		No	
c. New Hires for Supervisors (PWTD)	Yes		No	
Triggers could not be identified because applicant flow data has not been made available by Army.				

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

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

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**A. Voluntary and Involuntary Separations**

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

	Yes		No	X
N/A There were no eligible Schedule A employees in FY 2020				

2. Using the inclusion rate as the benchmark, did the percentage of PWD and PWTD among voluntary and involuntary separations exceed that of persons without disabilities? If "yes", describe the trigger below. Note: Details overseas (TDY) are not included in the figures below.  
Note: the Buffalo District lost 2 PWD to voluntary separations in FY 2020.

a. Voluntary Separations (PWD)			Yes	X	No	X
b. Involuntary Separations (PWD)			Yes		No	X
Formula	Subtract the Total # of PWD or PWTD from the Total # of District	Inclusion Rate (Divide the Total # of PWD or PWTD by their total # in the permanent District workforce)	Benchmark-Inclusion Rate (Divide the Persons without Disabilities separated from the District into their respective # in the District workforce)	Trigger (Is the Inclusion rate for PWD or PWTD higher than the Inclusion rate for Pw/oD?)		
PWD 29-2=27	295 - 45 = 250	2/45= 4.44%	27/224=12.05 %	No		
PWTD 29-0 = 29	295 - 7 = 288	0/288=0%		No		

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*.

A trigger does not exist. The EEO Office began exit interviews in FY 19 (3<sup>rd</sup> Quarter) when the new checklists issued from EEOC; however, not every supervisor is utilizing the exit interview checklist. There is no data indicating that separations other than for promotion and relocation, in addition to retirement, were at play with respect to motivation for leaving the District.

**B. Accessibility of Technology and Facilities**

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

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

<https://www.usace.army.mil/Accessibility.aspx>

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

<https://www.usace.army.mil/Careers/EEO/Special-Emphasis-Programs/> and/or  
[http://eeoa.army.pentagon.mil/web/prog\\_comp/outreach\\_spec\\_prog/piwd/legal.htm#aba](http://eeoa.army.pentagon.mil/web/prog_comp/outreach_spec_prog/piwd/legal.htm#aba)

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.

Section 508 Compliance is at the Agency-level. With respect to facilities, the District considers accessibility issues as the need arises that can be addressed for the remainder of time in this location.

**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.)

Initial requests were acknowledged within 24 hours, and initial requests for additional documentation requested within 8 days. Processing was paused a second time when a request for clarification and additional documentation was sent to the physician and as of the end of the fiscal year, still timely under the reasonable accommodation guidelines.

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

The EEO Office conducted training for managers and supervisors on reasonable accommodations in FY 2018; procedures are posted on the internet site. Most supervisors know to contact EEO Office immediately when a request for a reasonable accommodation occurs. Reasonable accommodation requests are processed promptly.

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D. Personal Assistance Services Allowing Employees to Participate in the Workplace  
Pursuant to 29 C.F.R. § 1614.203(d)(5), federal agencies, as an aspect of affirmative action, are required to provide personal assistance services (PAS) to employees who need them because of a targeted disability, unless doing so would impose an undue hardship on the agency.

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

We have not had a request. It should be noted that guidance has yet to issue from Army on PAS. However, the Division has drafted guidance and it is currently undergoing review. In the interim, the District's position on PAS is any employee or applicant requesting PAS should be processed through the existing reasonable accommodation procedures, including the timeframes outlined in the Reasonable Accommodation procedures for the Division.

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

**A. EEO Complaint data involving Harassment**

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

	Yes		No	X
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2. During the last fiscal year, did any complaints alleging harassment based on disability status result in a finding of discrimination or a settlement agreement?

	Yes		No	X
--	-----	--	----	---

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 District had no findings of discrimination based on disability status within the last fiscal year.

**B. EEO Complaint Data involving Reasonable Accommodation**

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

	Yes		No	X
--	-----	--	----	---

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

	Yes		No	X
--	-----	--	----	---

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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 District had no findings of discrimination involving failure to provide a reasonable accommodation during the last fiscal year.

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

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

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

	Yes	X	No	
--	-----	---	----	--

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

	Yes	X	No	
--	-----	---	----	--

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

<b>Trigger 1</b>	Lower than expected numbers of PWDs and PWTDs in the District population			
<b>Barrier(s)</b>	Lack of awareness from external candidates about employment opportunities and hiring initiatives			
<b>Objective(s)</b>	Develop recruitment strategies to reach PWDs and PWTDs			
<b>Responsible Official(s)</b>		<b>Performance Standards Address the Plan?</b>		
PMC, Supervisors, CPAC, EEO		Yes		
<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>

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		<b>(Yes or No)</b>		
06/01/2018	Identify position for and hire WRP Student for Summer	Yes		5/1/2019
9/1/2018	Disseminate information via intranet and speakers on disability-related issues to provide awareness of and education to management and employees on issues related to employees with disabilities	Yes		11/1/2017
7/1/2019	Identify and bring in POCs of area colleges/universities, local, state and federal agencies who work with PWDs and PWTDS to do a training/info session on Schedule A hiring and how to apply for a federal job.	Yes	8/1/2021	
<b>Fiscal Year</b>	<b>Accomplishments</b>			
2020	Hired WRP student for summer			
2020	Hired former WRP student as term, full-time employee (and will convert to an ACTED position in FY 2021)			
2020	ACE-IT after successfully getting CAP's Interact-AS software added to App Portal as authorized software, continues to ensure users have Agency-wide access to the software as an accommodation.			
2020	District made a full-time permanent hire from the WRP database to fill a new vacancy			

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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).

Without applicant flow data the District is unable to determine if there is any impact on the number of PWDs and PWTDS applying for positions with the District.

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.

Continue to educate POCs of organizations that work with PWDs and PWTDS and continue to work on outreach materials to reach wider audience. Continue to request Army provide applicant flow data.

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**Appendix A**  
**Definitions**

- The following definitions apply to Management Directive 715:
- **Applicant:** A person who applies for employment.
- **Applicant Flow Data:** Information reflecting characteristics of the pool of individuals applying for an employment opportunity.
- **Barrier:** An agency policy, principle, practice or condition that limits or tends to limit employment opportunities for members of a particular gender, race or ethnic background or for an individual (or individuals) based on disability status.
- **Disability:** For the purpose of statistics, recruitment, and targeted goals, the number of employees in the workforce who have indicated having a disability on an Office of Personnel Management Standard Form (SF) 256. For all other purposes, the definition contained in 29 C.F.R. § 1630.2 applies.
- **Civilian Labor Force (CLF):** Persons 16 years of age and over, except those in the armed forces, who are employed or are unemployed and seeking work.
- **EEO Groups:** Members of groups protected under Title VII of the Civil Rights Act and other Federal guidelines. Includes: White Men, White Women, Black Men, Black Women, Hispanic Men, Hispanic Women, Asian Men, Asian Women, Native American Men, Native American Women, and Persons with Disabilities.
- **Employees:** Members of the agency's permanent or temporary work force, whether full or part-time and whether in competitive or excepted service positions.
- **Employment Decision:** Any decision affecting the terms and conditions of an individual's employment, including but not limited to hiring, promotion, demotion, disciplinary action and termination.
- **Feeder Group or Pool:** Occupational group(s) from which selections to a particular job are typically made.
- **Federal Categories (Fed9):** For the first time EEOC is requiring agencies to report their workforce data by aggregating it into nine employment categories. These categories are more consistent with those EEOC uses in private sector enforcement and will permit better analysis of trends in the federal workplace

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than previous categories used. The Commission has created a Census/OPM Occupation Cross-Classification Table by OPM Occupational Code (crosswalk) which assists agencies in determining the category in which to place a position through use of the position's OPM or SOC codes or the OPM or Census Occupation Title. The crosswalk may be accessed at the Commission's website: <http://www.eeoc.gov/federal/715instruct/00-09opmcode.html>. This crosswalk is intended as general guidance in cross-classifying OPM occupational codes to the EEO nine categories. Agencies are encouraged to contact EEOC with specific questions about what category might be appropriate for their particular occupations.

- **The nine job category titles are:**
  - **Officials and Manager** Occupations requiring administrative and managerial personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual offices, programs, divisions or other units or special phases of an agency's operations. In the federal sector, this category is further broken out into four sub-categories: (1) **Executive/Senior-Level**, (2) **Mid-Level**, (3) **First-Level** and (4) **Other**. When an employee is classified as a supervisor or manager, that employee should be placed in the *Officials and Managers* category rather than in the category in the crosswalk that they would otherwise be placed in based on their OPM occupational code. Those employees classified as supervisors or managers who are at the GS-12 level or below should be placed in the First-Level sub-category of Officials and Managers, those at the GS-13 or 14 should be in the **Mid-Level** sub-category and those at GS-15 or in the SES should be in the **Executive/Senior-Level** sub-category. An agency may also choose to place employees who have significant policy-making responsibilities, but do not supervise other employees, in these three sub-categories. The fourth sub-category, called "**Other**" contains employees in a number of different occupations which are primarily business, financial and administrative in nature, and do not have supervisory or significant policy responsibilities. For example, Administrative Officers (OPM Code 0341) are appropriately placed in the "**Other**" sub-category.
  - **Professionals** - Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations specialists, physical scientists, physicians, social scientists, teachers, surveyors and kindred workers.

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- **Technicians** - Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through two years of post-high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers, drafters, engineering aides, junior engineers, mathematical aides, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants, technical illustrators, technicians (medical, dental, electronic, physical science), and kindred workers.
- **Sales** - Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and sales workers, insurance agents and brokers, real estate agents and brokers, stock and bond sales workers, demonstrators, sales workers and salesclerks, grocery clerks, and cashiers/checkers, and kindred workers.
- **Administrative Support Workers** - Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, collectors (bills and accounts), messengers and office helpers, office machine operators (including computer), shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, legal assistants, and kindred workers.
- **Craft Workers** (skilled) - Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators who are not members of management, mechanics and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, painters (construction and maintenance), motion picture projectionists, pattern and model makers, stationary engineers, tailors, arts occupations, hand painters, coaters, bakers, decorating occupations, and kindred workers.
- **Operatives** (semiskilled) - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, plumbers, bricklayers, carpenters, electricians, machinists, mechanics, building trades, metalworking trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, sewers and stitchers, dryers, furnace workers, heaters, laundry and dry cleaning operatives, milliners, mine

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- operatives and laborers, motor operators, oilers and greasers (except auto), painters (manufactured articles), photographic process workers, truck and tractor drivers, knitting, looping, taping and weaving machine operators, welders and flame cutters, electrical and electronic equipment assemblers, butchers and meat cutters, inspectors, testers and graders, hand packers and packagers, and kindred workers.
- **Laborers** (unskilled) - Workers in manual occupations which generally require no special training who perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, grounds keepers and gardeners, farm workers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.
  - **Service workers** - Workers in both protective and non-protective service occupations. Includes: attendants (hospital and other institutions, professional and personal service, including nurses' aides, and orderlies), barbers, char workers and cleaners, cooks, counter and fountain workers, elevator operators, firefighters and fire protection, guards, door-keepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, amusement and recreation facilities attendants, guides, ushers, public transportation attendants, and kindred workers.
- **Fiscal Year:** The period from October 1 of one year to September 30 of the following year.
  - **Goal:** Under the Rehabilitation Act, an identifiable objective set by an agency to address or eliminate barriers to equal employment opportunity or to address the lingering effects of past discrimination.
  - **Major Occupations:** Agency occupations that are mission related and heavily populated, relative to other occupations within the agency.
  - **Onsite Program Review:** Visit by EEOC representatives to an agency to evaluate the agency's compliance with the terms of this Directive and/or to provide technical assistance.
  - **Reasonable Accommodation:** Generally, any modification or adjustment to the work environment, or to the manner or circumstances under which work is customarily performed, that enables an individual with a disability to perform the essential functions of a position or enjoy equal benefits and privileges of

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employment as are enjoyed by similarly situated individuals without a disability. For a more complete definition, see 29 C.F.R. § 1630.2(o). See also, EEOC's Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, No. 915.002 (October 17, 2002).

- **Relevant Labor Force:** The source from which an agency draws or recruits applicants for employment or an internal selection such as a promotion.
- **Section 501 Program:** The affirmative program plan that each agency is required to maintain under Section 501 of the Rehabilitation Act to provide individuals with disabilities adequate hiring, placement, and advancement opportunities.
- **Section 717 Program:** The affirmative program of equal employment opportunity that each agency is required to maintain for all employees and applicants for employment under Section 717 of Title VII.
- **Selection Procedure:** Any employment policy or practice that is used as a basis for an employment decision.
- **Special Recruitment Program:** A program designed to monitor recruitment of, and track applications from, persons with targeted disabilities.
- **Targeted Disabilities:** Disabilities that the federal government, as a matter of policy, has identified for special emphasis in affirmative action programs. They are: 1) deafness; 2) blindness; 3) missing extremities; 4) partial paralysis; 5) complete paralysis; 6) convulsive disorders; 7) mental retardation; 8) mental illness; and 9) distortion of limb and/or spine.
- **Technical Assistance:** Training, assistance or guidance provided by the EEOC in writing, over the telephone or in person.
- **Under representation:** Result of conditions in which the representation of EEO groups is lower than expected.

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**DATABASE NOTES**

1. The data for this report reflects the organization as of 30 September 2020. The HR database of record, the Defense Civilian Personnel Data System (DCPDS), was used to obtain the data. It is recognized that the HR database contains anomalies that affect data reporting. The variance didn't appear severe enough to affect the calculations.
2. Applicant pool dataset is not available, limiting conclusions on data tables.
3. Manifested Imbalances and Conspicuous Absences (MICA) are the correct terms required by federal rulings to describe the term "under representation". Manifested Imbalances indicate that although women and minorities are present, their representation is below the CLF. Conspicuous Absences refers to an absence of women and/or minorities.
4. Grade designations are the same ones used in DCPDS based on federal guidelines. Senior individuals are defined as those members of the Senior Executive Service or equivalent, such as all pay plans that start with an "E", or "I", pay plan "ST" and some positions in the "AD" category. Data for Pay plan "EX" are excluded.
5. Because the HR data system has not been retooled to meet MD 715 requirements, and OPM has not issued an authorization for the retooling, many data points in the accompanying data tables will not consistently sum to the total Army workforce. This is especially true in the calculations for persons with disabilities. The reportable codes used by EEOC vary from those in the HR data system in that some codes were excluded. Because of this exclusion, many of the data tables will not sum to the total Army workforce. In addition, many of the tables that capture data on RNO groups, because of the variety of pay plans used in Army do not fit into the aspects of "GS" or "Wage Grade" equivalents. Therefore, many of those data points were excluded.

## **Tabs**

Tab 1 .....LRB HCP Org Cart

Tab 2 .....EEO Policy Statements

Tab 3 .....Strategic Plan (O Plan)

Tab 4 .....Personal Assistance Services Procedures

Tab 5 .....Federal Equal Opportunity Recruitment Program (FEORP) Report

Tab 6 .....Alternative Dispute Resolution Program

Tab 7 .....Disabled Veterans Affirmative Action Program (DVAAP) Report

Tab 8 .....Command Climate Survey

Tab 9 ..... State of the Agency Briefing

Tab 10 .....Reasonable Accommodation Procedure

Tab 11 .....Charts