

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

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

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

### Section I: Efforts to Reach Regulatory Goals

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

1. Using the goal of 12% as the benchmark, does your agency have a trigger involving PWD by grade level cluster in the permanent workforce? If "yes", describe the trigger(s) in the text box.
  - a. Cluster GS-1 to GS-10 (PWD) Answer: No
  - b. Cluster GS-11 to SES (PWD) Answer: Yes

PWD are participating at a rate (10.59%) slightly below the 12% bench mark at the grade cluster GS-11 to SES.

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

2. Using the goal of 2% as the benchmark, does your agency have a trigger involving PWTD by grade level cluster in the permanent workforce? If "yes", describe the trigger(s) in the text box.
  - a. Cluster GS-1 to GS-10 (PWTD) Answer: No
  - b. Cluster GS-11 to SES (PWTD) Answer: No

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

The IRS communicated the overall disability goals with its leadership thorough monthly and quarterly email messages, HCAC meetings, HR Stat Reports, staff meetings, and new manager and supervisor training.

### Section II: Model Disability Program

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

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

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

Answer: Yes

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

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTD	0	0	7	Connie Lind, Chief, Employment Operations HCO ETS Employment Operations personnel Connie.O.Lind@irs.gov
Answering questions from the public about hiring authorities that take disability into account	1	0	7	Connie Lind, Chief, Employment Operations HCO ETS Employment Operations personnel Connie.O.Lind@irs.gov  *same individuals above
Processing reasonable accommodation requests from applicants and employees	51	0	7	As fo9/30/2017  Brinda K. Dent, Chief Disability Branch, Operations Division, Office of Equity, Diversity and Inclusion Brinda.K.Dent@irs.gov
Section 508 Compliance	58	0	1	
Architectural Barriers Act Compliance	0	0	300	Sandra F. Gross, MSPH Industrial Hygienist IRS/AWSS/FMSS/Environmental, Health and Safety 202-340-3430 Sandra.F.Gross@IRS.gov

Disability Program Task	# of FTE Staff by Employment Status			Responsible Official (Name, Title, Office, Email)
	Full Time	Part Time	Collateral Duty	
Special Emphasis Program for PWD and PWTD	2	0	0	Employment Operations Schedule A Program Manager (PM) Paula.B.Golladay@irs.gov  Tatika M. Fields Acting Director, Diversity & Inclusion Division (*Disability SEPM) Tatika.M.Fields@irs.gov

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

Answer: Yes

Disability Branch staff received ongoing just in time training throughout the year during conference call workshops; 6 hours of refresher training presented by the National Employment Law Institute during Q2-Q3 FY17; and 8 hours of refresher EEO and disability training required by FAD orders. Sign language Interpreters attended TerpExpo receiving 3.2 CEUs.

IRS HR Specialists (HRS) received OPM and IRS disability training on an on-going basis across all hiring authorities. Employment Operations established a Schedule A HRS cadre across the business units and those individuals were provided OPM and disability training through internal and external self-study/online courses.

All Civil Rights Unit (CRU) Specialists received 3 hours of disability training during CPE. Four (4) CRU Specialists also received an additional 24 hours of disability training in FY17.

The Agency Disability SEPM attended EEOC SEPM training in Q1 FY17.

FMSS staff received 2 sessions of accessibility training covering response times, adaptive options, securing consumer need into without conflicting with HIPPA or privacy issues and how to handle ergonomic requests.

Alternative Media employees participated in 10 hours of Section 508 webinars offered by the US Access Board and other vendors that provide accessibility services. In Q2 FY18 two employees will receive COR training to assist with ensuring contracts include Section 508 compliances and that PDF and HTML versions of IRS training materials are Section 508 compliant.

Some will also be trained in Media and Publications on a software tool that will assist with reviewing and remediating PDF files for compliance with Section 508.

**B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM**

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

Answer: Yes

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### Section III: Program Deficiencies in the Disability Program

In Part G of its FY 2017 MD-715 report, the agency identified the following program deficiencies involving its disability program:

Program Deficiencies	Agency Comments
Are 90% of accommodation requests processed within the frame set forth in the agency procedures for reasonable accommodation?	As of 9/29/17 – R/A Case Inventory:  Cases received – 2634 Cases closed – 2435 23% of R/A cases closed within 28 calendar days: Timely – 568 (23%) Untimely – 1867 (77%) – closed beyond 28 calendar days due to extenuating circumstances.

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

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

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

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

<p>IRS utilizes OPM’s Talent portal in USAJobs to identify qualified PWD, PWTD and veterans and refer qualified applicants to hiring managers. IRS’ Veterans Program Coordinator provides all vacancies to veteran organizations that assist transitioning veterans, including those with disabilities, in finding employment; and has established relationships with organizations that assist PWD, PWTD and Veterans seeking employment. IRS’ Schedule A Program Manager (PM) also utilizes relationships with colleges, universities, non-profit disability advocate organizations to identify job applicants.</p>
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2. Pursuant to 29 C.F.R. § 1614.203(a)(3), describe the agency’s use of hiring authorities that take disability into account (e.g., Schedule A) to recruit PWD and PWTD for positions in the permanent workforce.

<p>Schedule A is available for use along with Veteran Appointment Authorities to non-competitively appoint PWD and PWTD and veterans with service-connected disability rating of 30% or more. The Schedule A Program Manager and Veteran’s Program Managers work directly with program managers in finding qualified candidates to fill positions via non-competitive special hiring authorities; they also have established numerous external partnerships with private and public organizations that assist in finding qualified applicants for potential hire.</p>
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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.

When individuals apply utilizing the Schedule A Hiring Authority, their applications are reviewed by the servicing HR Specialist who confirms that the applicants meet the qualification requirements of the announced position and have provided required proof of disability. Applicants applying under the Schedule A Hiring Authority who are deemed qualified are referred to the hiring manager on a Schedule A certificate of eligibility with guidance on selection procedures including the application of veterans' preference, when applicable. Managers have the option to interview and/or hire from the Schedule A certificate or to consider other candidates from other issued certificates (Merit Promotion, Non-Competitive, VRA, etc.).

Alternatively, when individuals submit their resumes directly to the IRS Special Placement Program Coordinator (SPPC) for vacant positions, the SPPC refers the resumes to the designated servicing HR Specialist. The HR Specialist reviews the resumes to determine qualifications. If qualifications and Schedule A eligibility are met, the resumes are then forwarded to the hiring manager for consideration, with guidance on selection procedures, including the application of veterans' preference, when applicable.

Due to budget restrictions, non-competitive hiring authorities can only be utilized for external vacancies announcements. External applicants have the option to request consideration for a non-competitive appointment under Schedule A authority through application question (16) that addresses non-competitive hiring authorities.

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

Answer: Yes

IRS provides training on Schedule A, VRA, and 30% or more hiring authority training via ELMS, virtual classroom and individual business unit sessions. In addition, the Schedule A and Veterans' Program Managers provide training to hiring managers on the benefits and use of hiring authorities.

## **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.

- Attend, present and interface with organizations, colleges and universities to develop stronger relationships and identify potential applicant for referrals.
- Host informational conference calls with professional organizations that assist PWD/PWTD to share information about IRS' mission, work environment and job opportunities.
- Conduct visits at various IRS campuses to identify resources for marketing employment opportunities within local communities.
- Partner internally and externally with local campus organizations for recruitment events.

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

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

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

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)      Answer: No
- b. New Hires for MCO (PWTD)      Answer: No

FY 2017 Hires	Applicants vs. Hires	Applicants vs. Hires
0592 (189) Hires:	PWD: 5.92% - 11.64%	PWTD: 2.78% - 2.12%
0962 (1809) Hires:	PWD: 5.04% - 16.70%	PWTD: 2.27% - 3.15%
1811 (1) Hires:	PWD: 6.08% - 11.29%	PWTD: 3.33% - 0.00%
2210 (3) Hires:	PWD: 5.34% - 66.67%	PWTD: 2.56% - 33.33%

The 1811, Criminal Investigators occupation, limits the employment opportunities available for PWD and PWTD based on OPM established occupational prerequisites to be employed in this occupation. Therefore, we would not expect the hire of PWTD and that hiring of PWD would be based on the severity of the disability. However, for FY 2017, IRS did not see a trigger when comparing applicant to hire rates for PWD. Approximately 160 veterans were hired under the 30% disabled veteran authority. It is unknown how many competitive hires may have a disability as identification is optional.

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)      Answer: No
- b. Qualified Applicants for MCO (PWTD)      Answer: No

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)      Answer: Yes
- b. Promotions for MCO (PWTD)      Answer: No

For MCO 2210 (Information Technology Management), the PWD selected rate (1.70%) is less than the qualified rate (4.73%) so there is a potential trigger.

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

Pursuant to 29 C.F.R §1614.203(d)(1)(iii), agencies are required to provide sufficient advancement opportunities for employees with disabilities. Such activities might include specialized training and mentoring programs, career development opportunities, awards programs, promotions, and similar programs that address advancement. In this section, agencies should identify, and provide data on programs designed to ensure advancement opportunities for employees with disabilities.

## A. ADVANCEMENT PROGRAM PLAN

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

IRS offers career development opportunities to all employees via non-competitive details and promotions, e.g., career-ladder positions; competitive details and merit promotions. IRS developed a Service-wide Mentoring Program strategy with platforms to meet the needs of targeted groups, including PWD/PWTD. This strategy will be implemented in FY18.

Leadership development opportunities also exist through IRS' Leadership Succession Review for GS-12 to SES employees; Executive Readiness (XR), and the Candidate Development Program (CDP), the entrée to SES.

## B. CAREER DEVELOPMENT OPPORTUNITIES

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

The IRS provides various opportunities for employee professional development through programs such as:

- Leadership Succession Review (LSR), provides an opportunity for employees interested in management and managers to become actively involved with their development while offering the IRS a standardized, repeatable process to identify potential leaders at all management levels. Participation in LSR is voluntary for non-managers.
- The Executive Readiness Program (XR), is a development program designed to identify and develop top-level IRS employees and managers who aspire to compete in the Senior Executive Service (SES) Candidate Development Program. SES Candidate Development Program (CDP), is a formal training and development program for individuals interested in moving into senior executive positions. The program runs for a minimum of one year and maximum of two years, consisting of both classroom and developmental assignments. Its purpose is to identify outstanding persons with demonstrated leadership competencies and prepare them for Senior Executive positions.

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

a. Applicants (PWD)

Answer: Yes

b. Selections (PWD)

Answer: No

Candidate Development Program: qualified applicants were 2.9%; the applicant pool (GS-14/15) was 6.8%.



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

a. Applicants (PWTD)

Answer: No

b. Selections (PWTD)

Answer: Yes

Candidate Development Program: there were no persons with targeted disabilities selected, although there were 1.6% qualified applicants with targeted disabilities.

### C. AWARDS

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

a. Awards, Bonuses, & Incentives (PWD)

Answer: Yes

b. Awards, Bonuses, & Incentives (PWTD)

Answer: Yes

Total Cash Awards \$500 Under:

- The inclusion rate for PWD (7.80%) was less than the no-disability rate (8.53%) so there is a potential trigger.

- The inclusion rate for PWTD (8.01%) was less than then the no-disability rate (8.45%) so there is a potential trigger.

Total Cash Awards between \$501 and \$1500:

- The inclusion rate for PWD (28.41%) was less than then the no-disability rate (35.04%) so there is a potential trigger.

- The inclusion rate for PWTD (30.77%) was less than then the no-disability rate (34.31%) so there is a potential trigger.

Total Cash Awards greater than \$1500

- The inclusion rate for PWD (5.94%) was less than then the no-disability rate (11.10%) so there is a potential trigger.

- The inclusion rate for PWTD (5.93%) was less than then the no disability rate (10.60%) so there is a potential trigger.

Total Time-Off Awards 1-9 Hours

- The inclusion rate for PWD (12.95%) was less than then the no disability rate (16.30%) so there is a potential trigger.

- The inclusion rate for PWTD (13.54%) was less than then the no disability rate (15.95%) so there is a potential trigger.

Total Time-Off Awards Over 9 Hours

- The inclusion rate for PWD (24.0%) was less than then the no disability rate (24.46%) so there was a potential trigger.

- The inclusion rate for PWTD (24.65%) was NOT less than then the no disability rate (24.39%) so there was NOT a potential trigger.

Total Cash Awards greater than \$1500 (SES)

- The inclusion rate for PWD (0.06%) was less than then the no disability rate (0.19%) so there was a potential trigger.
- The inclusion rate for PWTD (0.07%) was less than then the no disability rate (0.18%) so there was a potential trigger.

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

The inclusion rate for PWD (2.78%) was less than then the no-disability rate (3.69%) so there was a potential trigger. The inclusion rate for PWTD (2.66%) was less than the no disability rate (3.60%) so there was a potential trigger.

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

N/A

## 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) | Answer: No  |
| ii. Internal Selections (PWD)          | Answer: No  |
| b. Grade GS-15                         |             |
| i. Qualified Internal Applicants (PWD) | Answer: No  |
| ii. Internal Selections (PWD)          | Answer: No  |
| c. Grade GS-14                         |             |
| i. Qualified Internal Applicants (PWD) | Answer: No  |
| ii. Internal Selections (PWD)          | Answer: Yes |
| d. Grade GS-13                         |             |

i. Qualified Internal Applicants (PWD) Answer: No

ii. Internal Selections (PWD) Answer: No

For GS-14 promotions, according to the FY17 Q4 Table B11, 4.37% of the qualified internal applicants were PWD but 2.85% of the internal selections were of PWD.

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

a. SES

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

b. Grade GS-15

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

c. Grade GS-14

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

d. Grade GS-13

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

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) Answer: No

b. New Hires to GS-15 (PWD) Answer: No

c. New Hires to GS-14 (PWD) Answer: No

d. New Hires to GS-13 (PWD) Answer: No

This is not an FY 2017 reporting requirement, Treasury and its bureaus will be taking appropriate steps to be able to report this information as part of the FY 2018 reporting period.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box.
- |                              |            |
|------------------------------|------------|
| a. New Hires to SES (PWTD)   | Answer: No |
| b. New Hires to GS-15 (PWTD) | Answer: No |
| c. New Hires to GS-14 (PWTD) | Answer: No |
| d. New Hires to GS-13 (PWTD) | Answer: No |

This is not an FY 2017 reporting requirement, Treasury and its bureaus will be taking appropriate steps to be able to report this information as part of the FY 2018 reporting period.

5. Does your agency have a trigger involving PWD among the qualified *internal* applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) If "yes", describe the trigger(s) in the text box.
- |  |            |
|--|------------|
| a. Executives                          |            |
| i. Qualified Internal Applicants (PWD) | Answer: No |
| ii. Internal Selections (PWD)          | Answer: No |
| b. Managers                            |            |
| i. Qualified Internal Applicants (PWD) | Answer: No |
| ii. Internal Selections (PWD)          | Answer: No |
| c. Supervisors                         |            |
| i. Qualified Internal Applicants (PWD) | Answer: No |
| ii. Internal Selections (PWD)          | Answer: No |

This is not an FY 2017 reporting requirement, Treasury and its bureaus will be taking appropriate steps to be able to report this information as part of the FY 2018 reporting period.

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) Answer: No

ii. Internal Selections (PWTD) Answer: No

b. Managers

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer: No

ii. Internal Selections (PWTD) Answer: No

This is not an FY 2017 reporting requirement, Treasury and its bureaus will be taking appropriate steps to be able to report this information as part of the FY 2018 reporting period.

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) Answer: No

b. New Hires for Managers (PWD) Answer: No

c. New Hires for Supervisors (PWD) Answer: No

This is not an FY 2017 reporting requirement, Treasury and its bureaus will be taking appropriate steps to be able to report this information as part of the FY 2018 reporting period.

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) Answer: No

b. New Hires for Managers (PWTD) Answer: No

c. New Hires for Supervisors (PWTD) Answer: No

This is not an FY 2017 reporting requirement, Treasury and its bureaus will be taking appropriate steps to be able to report this information as part of the FY 2018 reporting period.

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

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

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer: No

In FY2017, 35 Schedule A employees were eligible for conversion from excepted appointment to career status.

- 31 were timely converted to career status,
- 2 were untimely converted.
- 2 were not converted by the Business Unit based on not meeting the fully successful evaluation rating.

- 1 employee was removed January 14, 2017
- 1 employee remains on-rolls; management has not been able to evaluate the employee due to periods in/out of pay status.

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

a. Voluntary Separations (PWD) Answer: Yes

b. Involuntary Separations (PWD) Answer: Yes

The inclusion rate for PWD (1.10%) exceeded the rate of persons with no disability (0.82%) for involuntary separations. The inclusion rate for PWD (11.23%) also exceeded the inclusion rate for persons with no disability (8.93%) for voluntary separations.

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

a. Voluntary Separations (PWTD) Answer: No

b. Involuntary Separations (PWTD) Answer: Yes

The inclusion rate for PWTD (0.94%) exceeded the rate of persons with no disability (0.82%) for involuntary separations. The inclusion rate for PWTD (8.89%) did not exceed the inclusion rate for persons with no disability (8.93%) for voluntary separations.

4. If a trigger exists involving the separation rate of PWD and/or PWTD, please explain why they left the agency using exit interview results and other data

sources.

This is a brief summary from the Exit Survey responses from PWD for the period of October 1, 2016 through September 30, 2017:

194 permanent/seasonal PWD responded to the Agency's Exit Survey. The most frequently cited reasons for separation of PWD are listed below. Note, multiple responses are allowed.

- Retirement – 125 or 64%
- Job Stress - 48%
- Office Morale - 38%
- Workload - 31%
- Office organization and alignment with regard to effective and efficient service - 30%
- Existence of arbitrary actions, personal favoritism or coercion for partisan political purposes - 28%
- Ability to participate in decisions - 27%
- Job description in relation to actual duties and responsibilities - 27%
- Resources to do the job/the fairness of my performance evaluation - 26%
- Pay in relation to job responsibilities and performance - 25%
- Access to developmental opportunities - 24%.

Additionally, 69% of the respondents indicated their work experience was generally positive and 64% stated they would recommend the IRS as a good place to work.

## B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

<https://www.irs.gov/uac/irs-is-an-equal-opportunity-employer>  
Revisions to the site has been requested; target completion 2/20/18.

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.irs.gov/uac/irs-is-an-equal-opportunity-employer>  
Revisions to the site has been requested; target completion 2/20/18.

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

The IRS Civil Rights Unit (CRU) partners with Treasury on Grantee site visits. In FY17 65 compliance reviews were conducted; 15 compliance reviews are planned in FY18. Correction actions included the installation or repair of automatic office and restroom

door openers for wheelchair access in several leased buildings. Rest areas (at designated intervals) were created to allow employees with limited mobility a place to sit when walking in hallways at two separate IRS facilities. In FY18 IRS EDI will collaborate with FMSS to implement a 2-page check sheet for use by Facilities territory managers to perform self-assessments of sites they manage to identify and address safety and accessibility concerns.

### **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.)

The average RA processing time in FY17 was 66 business days or 95 calendar days.

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

In FY17 IRS continued analyzing RA case processing factors. Gaps in tracking data elements were identified. The current 15-business day agency timeframe was confirmed as inaccurate. In FY18 a review of actual case steps timeframes is being completed to support a change in timeframes by case type. Disability and reasonable accommodation training was provided via training courses, newsletters and intranet postings.

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

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

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

EEOC established the requirement for Personal Assistance Services to be implemented in January 2018. In FY 2017, IRS did not have policies or procedures in place to implement PAS. However, IRS modified facility access procedures to allow two employees with targeted disabilities site access of 1) family members to provide PAS and 2) the employee's own contracted PAS. During Q1 FY 2018, Treasury EEO established a Personal Assistance Services (PAS) Working Group (WG) of which IRS is a participant. The WG developed a Statement of Work (SOW) for procuring a Treasury-wide PAS contract; and will create departmentwide PAS policy and procedures. In the interim, the IRS will administer PAS requests through its



Reasonable Accommodation Services organizations following EEOC guidance.

## Section VII: EEO Complaint and Findings Data

### A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer: No

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

Answer: Yes

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.

One FAD, hostile work environment based on disability and reprisal when, among other things, complainant was denied reasonable accommodation and issued a counseling memorandum; training and consideration of disciplinary action were ordered; training was provided; disciplinary action was considered but found not to be warranted.

### B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer: Yes

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

Answer: Yes

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.

Six FAD's:

- (1) disability discrimination for failure to provide reasonable accommodation. Training was ordered for all responsible management officials in the office where complainant worked; training completed;
- (2) disability discrimination for denial of reasonable accommodation and termination for missing too much time from work during probationary period. Training and disciplinary action were ordered; training was provided; disciplinary action is pending;
- (3) disability discrimination for unnecessary delay in providing operable adaptive equipment, which had been approved pursuant to request for reasonable accommodation. It was determined that management acted in good faith in attempting to provide effective accommodation;
- (4) disability discrimination for failure to provide reasonable accommodation in line

with complainant's physician's recommendation or even act on her request for reasonable accommodation until the EEO complaint was filed. Training on the responsibilities of management under the Rehabilitation Act was ordered and was provided; disciplinary action was not ordered because the individual who was primarily responsible for processing the original reasonable accommodation request was no longer employed with the Agency;

(5) disability discrimination for delay in providing reasonable accommodation. Training and consideration of disciplinary action were ordered; training was provided; decision on disciplinary action is pending; and

(6) disability discrimination for failure to provide reasonable accommodation and failure to maintain confidential medical information in separate medical file. Training and consideration of disciplinary action were ordered; training was provided and oral counseling was administered to four management officials.

## Section VIII: Identification and Removal of Barriers

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

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

Answer: No

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

Answer: N/A

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

<b>Trigger</b>				
<b>Barrier(s)</b>				
<b>Objective(s)</b>				
<b>Responsible Official(s)</b>		<b>Performance Standards Address the Plan? (Yes or No)</b>		
<b>Barrier Analysis Process Completed? (Yes or No)</b>		<b>Barrier(s) Identified? (Yes or No)</b>		
<b>Sources of Data</b>	<b>Sources Reviewed? (Yes or No)</b>	<b>Identify Information Collected</b>		
Workforce Data Tables				
Complaint Data (Trends)				
Grievance Data (Trends)				
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)				
Climate Assessment Survey (e.g., FEVS)				
Exit Interview Data				
Focus Groups				
Interviews				
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)				
Other (Please Describe)				
<b>Target Date (mm/dd/yyyy)</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding (Yes or No)</b>	<b>Modified Date (mm/dd/yyyy)</b>	<b>Completion Date (mm/dd/yyyy)</b>
<b>Fiscal Year</b>	<b>Accomplishments</b>			

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

N/A

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

N/A

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

N/A