

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

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

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

The USPTO's participation rate of PWD from GS-1 to GS-10 is 13.65%; and 6.28% from 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 Yes |

The USPTO's participation rate of PWTD from GS-1 to GS-10 is 3.18%; and 1.61% from GS-11 to SES.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numarical Goal	--	12%		2%	
Grades GS-1 to GS-10	1319	180	13.65	42	3.18
Grades GS-11 to SES	11172	702	6.28	177	1.58

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

The USPTO has designated one Human Resources Specialist to serve as Selective Placement Coordinator. The USPTO's Director of EEO and Diversity meets biweekly with these coordinators to communicate, among other things, numerical goals for hiring individuals with disabilities. The selective placement coordinators review all USPTO vacancy announcements and refer qualified Schedule A candidates to selecting officials. In addition, the USPTO's senior management team, known as the "Management Council" received a briefing on using the agency-wide internship program as a method of recruiting individuals with disabilities, who could later be non-competitively selected for USPTO positions.

### Section II: Model Disability Program

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

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

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

Answer Yes

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	
Architectural Barriers Act Compliance	1	0	0	Lisa Langrell Branch Chief, Building Management and Lease Administration Branch lisa.langrell@uspto.gov
Special Emphasis Program for PWD and PWTB	1	0	0	Glorimar.Maldonado@uspt
Processing reasonable accommodation requests from applicants and employees	8	0	0	Heather Austin Jones Reasonable Accommodation Program Manager Heather.Jones1@uspto.gov
Processing applications from PWD and PWTB	1	0	0	Paula Jones Human Resources Specialist Paula.Jones@uspto.gov
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Paula Jones Human Resources Specialist Paula.Jones@uspto.gov
Section 508 Compliance	3	0	0	mark.reumann@USPTO.Gl

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

Answer Yes

In FY20, the Agency provided the team responsible for processing requests for Reasonable Accommodations the following training opportunities: February 2020 • Federal Exchange on Employment and Disability (FEED) presentation on “Building Understanding of Employment of People with Disabilities”; May 2020 • Viscardi - “Mental Wellness: Employer Strategies to Foster a Healthy, Productive Workplace During Uncertain Times”; and • Cornell.edu - “Connecting Agency Practices to Federal Disability Discrimination Complaints” June 2020 • PTO Training - “Navigating Disruption”; • LRP - “Resolving Complex Reasonable Accommodation Issues in the Federal Workplace”; and • Viscardi - “What You Need to Know About the ADA and COVID-19” In addition to the foregoing training, the RA program staff completed a 30-hour virtual training course in “Mediation Skills and

Process” conducted by the NVMS Conflict Resolution Center in Fairfax, Virginia. Staff members also complete annual EEO Counselor Refresher training. During most years, program staff also attend annual training provided at the EEOC’s EXCEL conference or the Federal Dispute Resolution (FDR) conference.

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

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

Answer Yes

**Section III: Program Deficiencies In The Disability Program**

<b>Brief Description of Program Deficiency</b>	C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.		
<b>Objective</b>	To increase awareness of the Agency’s procedures for processing requests for Personal Assistance Services.		
<b>Target Date</b>	Mar 21, 2021		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Mar 21, 2021		The OEEOD will post language on the USPTO’s public website detailing what personal assistance services are and how they can be requested.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2020	In FY20, OEEOD led the charge to successfully procure and award the first Agency-wide contract for personal assistance services (PAS) in May 2020. PAS procedures are incorporated in the USPTO’s Reasonable Accommodation procedures, which were approved by EEOC in May 2020. These procedures are set to be posted to the public website in FY21.	
	2019	The EEO Director and the individual assigned to this project have met to communicate the goals.	

<b>Brief Description of Program Deficiency</b>	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.		
<b>Objective</b>	To increase awareness of the Agency’s affirmative action plan.		
<b>Target Date</b>	Sep 30, 2021		
<b>Completion Date</b>			
<b>Planned Activities</b>	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2020		The OEEOD will take the steps needed to post the affirmative action plan on the Agency’s public website.
<b>Accomplishments</b>	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2020	The EEO Director and the individual assigned to this project have met and plan to post the AAP in FY21.	
	2019	The EEO Director and the individual assigned to this project have met to communicate the goals.	

## 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 PWTDD

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

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

The Agency uses the Workforce Recruitment Program on a regular basis to identify potential employees. The Agency has a separate webpage designed to provide information to job applicants with disabilities: <https://www.uspto.gov/jobs/hiring-people-disabilities>. The Agency has also formed relationships with the various disability offices at the universities and colleges from which it regularly recruits students.

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 PWTDD for positions in the permanent workforce

The Agency utilizes Schedule A and veterans hiring preferences to recruit PWD and PWTDD.

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.

The Agency has a Human Resources Specialist (Selective Placement Coordinator) who is dedicated to working with job applicants who apply under special hiring authorities. The Coordinator determines eligibility, and forwards qualified applicants with disabilities to the relevant hiring officials. In addition, the Selective Placement Coordinator maintains a roster of Schedule A candidates, whom they refer for appropriate positions.

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

Answer Yes

The Agency provides computer based training annually, including: • A Roadmap to Success: Hiring, Retaining, and Including People with Disabilities • Uniformed Services Employment and Reemployment Rights Act – USERRA • Veterans Employment Training All hiring managers are required to take the above-mentioned computer-based trainings on an annual basis as part of fulfilling OPM's annual training on the policies and procedures necessary for performing their duties within federal guidelines.

### 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 PWTDD, in securing and maintaining employment.

The Agency has already formed relationships with the various disability offices at the universities and colleges from which it regularly recruits students, and will continue to reach out to additional schools and external disability-related organizations to develop more partnerships. We have established a relationship with the local, Alexandria, Virginia, vocational rehabilitation office. This is the office with jurisdiction over our largest campus. We plan to continue to reach out to career services and disability program coordinators at target area schools to establish a baseline relationship and gauge interest and population.

**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

New Hires	Total (#)	Reportable Disability		Targeted Disability	
		Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants	5622	10.35	0.21	5.91	0.11
% of Qualified Applicants	3732	8.44	0.32	4.72	0.16
% of New Hires	526	4.56	0.00	2.47	0.00

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

a. New Hires for MCO (PWD) Answer Yes

b. New Hires for MCO (PWTD) Answer Yes

The USPTO has three major MCOs: General Attorneys (0905), Patent functions (1220 series), and IT Management Specialists (2210). For Patent Examiners (1224), PWD and PWTD were selected slightly below the benchmark for the qualified applicant pool. In the qualified applicant pool, identified PWD and PWTD represented 5.05% and 3.26% of applicants, respectfully. PWDs and PWTDs were selected at 4.38% and 2.53%, respectfully. For General Attorneys, PWD and PWTD were hired at a rate lower than the benchmark for the qualified applicant pool. Specifically, out of a qualified applicant pool that was 8.31% PWD and 3.65% PWTD, 3.03% of the hires were PWD, and none of the selections identified as a PWTD. For IT Management Specialists, PWD were selected at a rate lower than the benchmark for the qualified applicant pool. The qualified applicant pool was 14.00% PWD and only 6.67% of the selections were PWD. PWTD were selected slightly below the expected rate for IT Management Specialists. Of the qualified applicant pool, 7.08% were PWTD, and 6.67% of the selections were PWTDs. It is worth noting that some applicants chose not to identify their disability status. For series 1224, 0905, and 2210, those who did not identify represented 4.20%, 5.20%, and 4.53% of applicants, respectfully.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability		Targetable Disability	
		Qualified Applicants (%)	New Hires (%)	Qualified Applicants (%)	New Hires (%)
Numerical Goal	--	12%		2%	
0905GENERAL ATTORNEY	0	0.00	0.00	0.00	0.00
1220PATENT ADMINISTRATION	0	0.00	0.00	0.00	0.00
1222PATENT ATTORNEY	0	0.00	0.00	0.00	0.00
1224PATENT EXAMINER	0	0.00	0.00	0.00	0.00

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability		Targetable Disability	
		Qualified Applicants (%)	New Hires (%)	Qualified Applicants (%)	New Hires (%)
Numerical Goal	--	12%		2%	
1226DESIGN PATENT EXAMINER	0	0.00	0.00	0.00	0.00
2210INFORMATION TECHNOLOGY MANAGEMENT	0	0.00	0.00	0.00	0.00

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

- a. Qualified Applicants for MCO (PWD) Answer N/A
- b. Qualified Applicants for MCO (PWTD) Answer N/A

The relevant applicant pool information was not provided in the applicant flow data. The Agency generally hires external applicants for MCOs, not internal applicants. The overwhelming majority of MCOs are hired into career ladder positions with full performance levels at the higher grades (e.g., GS-14). Promotions are approved based on performance.

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

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

Theoretically, for the majority of MCOs, the USPTO provides non-competitive promotion from GS-7 to GS-14. Promotion depends on performance. Triggers exist, however, with respect to overall retention of PWDS and PWTDs to permit for this otherwise non-competitive career progression/promotion. The qualified applicant pool for the 1224 series was .22% identified PWD and .22% PWTD. No identified PWDs or PWTDs were selected. The qualified applicant pool for series 2210 was 5.88% PWD, and no PWDs were selected. However, it is worth noting that the majority of qualified applicants for internal promotions chose not to identify their disability status. Applicants who did not identify are represented in the qualified applicant pool for series 0905, 1224, and 2210 at 64.10%, 59.09%, and 52.94%, respectfully.

## 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.

During FY 2018, the Office of EEO & Diversity constituted a new Disability Working Group, dedicated to identifying barriers to career advancement and reduction of those barriers. The group will be folded into a new Diversity and Inclusion Council, to be

launched in FY21. In addition, the USPTO affinity group, ResponsAbility, which focuses on advocacy and awareness of disability issues and goals, worked with USPTO leadership to promote career advancement of their members. The USPTO has three initiatives underway to ensure that PWD’s have sufficient opportunities for advancement. First, in FY21, the USPTO’s Diversity Program will stand up an Agency-wide D&I Council into which will be folded the current Disability Advisory Council. Second, the USPTO will establish relationships with Disability-friendly institutions, such as Gallaudet and the Rochester Institute of Technology, to increase the number of Schedule A applicants and hires for MCOs. Third, we have developed stronger hiring manager education focusing on providing managers with the tools they need to implement (or maximize) disability recruitment and hiring strategies. For the first time ever, this will include training for aspiring managers. PWDs and PWTDs, like all USPTO employees, are able to take part in the various career development programs offered by the Agency. The competitive opportunities are announced and many of the other programs are open to all employees.

**B. CAREER DEVELOPMENT OPPORTUNITES**

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

The USPTO has two major career development programs. First, USPTO provides career development detail assignments for employees. Second, USPTO provides an enterprise-wide mentoring program. The mentoring program is open to everyone interested, subject to space constraints in the program. In addition to these two major enterprise efforts, the Enterprise Training Division, and various employee groups host ad hoc training and information sessions. These programs are widely-publicized and available to all employees.

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

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

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

a. Applicants (PWD) Answer N/A

b. Selections (PWD) Answer N/A

For FY20, we did not collect disability status data for competitive career development programs. OEEOD plans to partner with OHR to improve data collection of disability status for career development programs in place at the Agency using existing data systems and reporting methods.

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

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

For FY20, we did not collect disability status data for competitive career development programs. OEEOD plans to partner with OHR to improve data collection of disability status for career development programs in place at the Agency using existing data systems and reporting methods.

**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

PWD receive cash awards of under \$500, \$501-\$999, \$1000-\$1999, \$2000-\$2999, \$3000-\$3999, \$4000-\$4999, and greater than \$5000 at 4.98%, 5.91%, 4.19%, 5.88%, 6.67%, 3.99%, and 5.95%, respectively. PWTD receive cash awards of under \$500, \$501-\$999, \$1000-\$1999, \$2000-\$2999, \$3000-\$3999, \$4000-\$4999, and greater than \$5000 at 0.76%, 1.26%, 1.38%, 1.55%, 1.97%, 1.20%, and 1.90%, respectively.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 1 - 10 hours: Awards Given	53	0.99	0.36	0.00	1.33
Time-Off Awards 1 - 10 Hours: Total Hours	370	6.84	2.52	0.00	9.13
Time-Off Awards 1 - 10 Hours: Average Hours	6.98	0.76	0.06	0.00	1.01
Time-Off Awards 11 - 20 hours: Awards Given	36	0.66	0.24	0.88	0.59
Time-Off Awards 11 - 20 Hours: Total Hours	588	10.14	4.02	12.28	9.43
Time-Off Awards 11 - 20 Hours: Average Hours	16.33	1.69	0.14	6.14	0.20
Time-Off Awards 21 - 30 hours: Awards Given	5	0.11	0.03	0.00	0.15
Time-Off Awards 21 - 30 Hours: Total Hours	120	2.65	0.83	0.00	3.53
Time-Off Awards 21 - 30 Hours: Average Hours	24	2.65	0.21	0.00	3.53
Time-Off Awards 31 - 40 hours: Awards Given	1	0.00	0.01	0.00	0.00
Time-Off Awards 31 - 40 Hours: Total Hours	32	0.00	0.28	0.00	0.00
Time-Off Awards 31 - 40 Hours: Average Hours	32	0.00	0.28	0.00	0.00
Time-Off Awards 41 or more Hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Average Hours	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$501 - \$999: Awards Given	10222	66.59	79.92	56.58	69.96
Cash Awards: \$501 - \$999: Total Amount	8173533	53153.03	63882.47	44657.89	56005.60
Cash Awards: \$501 - \$999: Average Amount	799.6	88.00	6.93	346.18	1.31
Cash Awards: \$1000 - \$1999: Awards Given	14147	65.38	114.23	85.53	58.62
Cash Awards: \$1000 - \$1999: Total Amount	16906921	78077.07	136546.21	102441.23	69895.88
Cash Awards: \$1000 - \$1999: Average Amount	1195.09	131.66	10.36	525.34	-0.53
Cash Awards: \$2000 - \$2999: Awards Given	2330	15.10	18.27	15.79	14.87
Cash Awards: \$2000 - \$2999: Total Amount	5970906	37918.30	46960.11	38513.60	37718.41
Cash Awards: \$2000 - \$2999: Average Amount	2562.62	276.78	22.28	1069.82	10.48
Cash Awards: \$3000 - \$3999: Awards Given	2442	17.97	18.93	21.05	16.94
Cash Awards: \$3000 - \$3999: Total Amount	8624980	63167.25	66862.41	73387.28	59735.49
Cash Awards: \$3000 - \$3999: Average Amount	3531.93	387.53	30.61	1528.90	4.27
Cash Awards: \$4000 - \$4999: Awards Given	3009	13.23	24.43	15.79	12.37
Cash Awards: \$4000 - \$4999: Total Amount	13332575	58377.62	108277.42	70159.21	54421.50
Cash Awards: \$4000 - \$4999: Average Amount	4430.9	486.48	38.42	1948.87	-4.57
Cash Awards: \$5000 or more: Awards Given	4150	27.23	32.88	34.65	24.74
Cash Awards: \$5000 or more: Total Amount	31652369	207282.58	250980.84	268670.61	186669.22
Cash Awards: \$5000 or more: Average Amount	7627.08	839.20	66.17	3400.89	-20.99

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

a. Pay Increases (PWD) Answer No

b. Pay Increases (PWTD) Answer Yes

PWTDs represent 1.77% of the permanent workforce, and 1.46% of the employees who received quality step increases.

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Total Performance Based Pay Increases Awarded	0	0.00	0.00	0.00	0.00

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

**D. PROMOTIONS**

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

a. SES

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer Yes

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 Yes

Using the qualified applicant pool benchmark, triggers were identified for PWD at GS 15 (0.50%), GS 14 (5.95%), and GS 13 (5.26%). In FY20, there were no identified PWDs selected for GS 15, GS 14, or GS 13 positions. Additionally, none of the applicants to SES positions identified themselves as a PWD. It is worth noting that, among the applicants for internal promotions, the majority of applicants chose not to disclose their disability status. For SES, GS-15, GS-14, and GS-13 vacancies, those who did not disclose represented 76.19%, 73.63%, 60.61%, and 50.00%, of applicants, respectively.

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. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. SES

i. Qualified Internal Applicants (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 Yes

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

Using the qualified applicant pool benchmark, triggers were identified for PWTD at GS-15 (0.45%) and GS-14 (1.19%). In FY20, there were no identified PWTDs selected for GS 15 or GS 14 positions. Additionally, none of the applicants to GS-13 or SES identified themselves as a PWTD. It is worth noting that, among the applicants for internal promotions, the majority of applicants chose not to disclose their disability status. For SES, GS-15, GS-14, and GS-13 vacancies, those who did not disclose represented 76.19%, 73.63%, 60.61%, and 50.00%, of applicants, respectfully.

3. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.
- a. New Hires to SES (PWD) Answer N/A
  - b. New Hires to GS-15 (PWD) Answer N/A
  - c. New Hires to GS-14 (PWD) Answer N/A
  - d. New Hires to GS-13 (PWD) Answer N/A

In FY20, we did not capture the applicant flow data for new hires in senior grade positions. However, we note that the vast majority of our senior level positions are internal hires due to the subject matter expertise required at the senior levels. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.
- a. New Hires to SES (PWTD) Answer N/A
  - b. New Hires to GS-15 (PWTD) Answer N/A
  - c. New Hires to GS-14 (PWTD) Answer N/A
  - d. New Hires to GS-13 (PWTD) Answer N/A

In FY20, we did not capture the applicant flow data on total new hires in senior grade positions. However, we note that the vast majority of our senior level positions are internal hires due to the subject matter expertise required at the senior levels. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

5. Does your agency have a trigger involving PWD among the qualified internal applicants and/or selectees for promotions to supervisory positions? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified

applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. Executives

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

b. Managers

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

c. Supervisors

i. Qualified Internal Applicants (PWD) Answer N/A

ii. Internal Selections (PWD) Answer N/A

In FY20, we did not capture applicant flow data on internal promotions to supervisory positions. OEEOD plans to improve data collection of disability status for promotions using existing data systems and reporting methods.

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

a. Executives

i. Qualified Internal Applicants (PWTB) Answer N/A

ii. Internal Selections (PWTB) Answer N/A

b. Managers

i. Qualified Internal Applicants (PWTB) Answer N/A

ii. Internal Selections (PWTB) Answer N/A

c. Supervisors

i. Qualified Internal Applicants (PWTB) Answer N/A

ii. Internal Selections (PWTB) Answer N/A

In FY20, we did not capture applicant flow data on internal promotions to supervisory positions. OEEOD plans to improve data collection of disability status for promotions using existing data systems and reporting methods.

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

a. New Hires for Executives (PWD) Answer N/A

b. New Hires for Managers (PWD) Answer N/A

c. New Hires for Supervisors (PWD) Answer N/A

In FY20, we did not capture applicant flow data on selections to supervisory positions. However, we note that the vast majority of our supervisory positions are internal hires due to the subject matter expertise required at the supervisory level. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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

- a. New Hires for Executives (PWTD) Answer N/A
- b. New Hires for Managers (PWTD) Answer N/A
- c. New Hires for Supervisors (PWTD) Answer N/A

In FY20, we did not capture applicant flow data on selections to supervisory positions. However, we note that the vast majority of our supervisory positions are internal hires due to the subject matter expertise required at the supervisory level. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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

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

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer Yes

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 USPTO's participation rate of PWDs in the permanent workforce is 7.02%. PWDs accounted for 19.79% of the involuntary separations (removals) and 10.99% of the voluntary separations (resignations).

Separations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	96	2.09	0.64
Permanent Workforce: Resignation	182	2.20	1.35
Permanent Workforce: Retirement	151	1.54	1.14
Permanent Workforce: Other Separations	70	0.99	0.51
Permanent Workforce: Total Separations	499	6.81	3.63

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 Yes
- b. Involuntary Separations (PWTD) Answer Yes

The USPTO's participation rate of PWTDS in the permanent workforce is 1.77%. PWTDS accounted for 4.17% of the involuntary separations (removals) and 2.23% of the voluntary separations (resignations).

Separations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	96	1.75	0.72
Permanent Workforce: Resignation	182	1.75	1.40
Permanent Workforce: Retirement	151	1.75	1.16
Permanent Workforce: Other Separations	70	0.44	0.54
Permanent Workforce: Total Separations	499	5.68	3.82

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.

The Agency does not include a disability question in the exit interview. Plans are underway to add one in a redesign. We have reviewed complaint data, however, this review did not result in the identification of root causes of separations of PWD. The team in charge of processing reasonable accommodation plans to conduct and RA retention study to identify and analyze triggers in the area of retention and promotion in FY21, which may help shed some light on separations. In addition to analyzing the separation data from the provided workforce data tables for this report, we extracted data from our agency’s internal system: • Of the 505 employees who voluntarily separated from the agency in FY20, 8.72% were identified PWDs and 1.39% were identified PWTDS.\* • Of the PWDs who voluntarily separated, 61.36% resigned, 20.45% retired, 15.91% moved to another federal appointment, and 2.27% retired due to disability. • Of all voluntary separations, 22 (4.36%) were disability retirements. However, only one employee who separated for this reason identified as a PWD. • Of the 69 employees who involuntarily separated from the agency, 14.29% were identified PWD, and 3.81% were identified PWTD. \*\* • Of the PWDs who involuntarily separated, 60% were terminated during their probationary period, 33.33% were removed, and 6.67% faced the end of their nonpermanent appointment at the agency. \*OPM NOA codes 301, 302, 303, 317, and 352 were used for voluntary separations \*\*OPM NOA codes 304, 312, 330, 355, 357, and 385 were used for involuntary separations

**B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES**

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

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

<https://www.uspto.gov/about-us/organizational-offices/office-chief-information-officer/section-508-rehabilitation-act>

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.uspto.gov/about-us/uspto-locations/accessibility-and-accommodations-uspto> Accessibility information is also available at <https://www.uspto.gov/using-usptogov/accessibility-uspto-website>

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.

They Agency continues to make changes to improve accessibility in all of its facilities, including adding lowered sinks in the restrooms and improving entrances to the buildings. During FY 2019, The USPTO Office of EEO and Diversity reviewed the accessibility of our regional offices located in Denver, Detroit, Dallas, and Silicon Valley.

### 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.)

In FY 2020, the average time for processing initial requests for reasonable accommodation was approximately 20 days. In FY20, the USPTO received and processed 291 new reasonable accommodation requests. This figure does not include approximately 23 carry-over requests from FY 2019 that were processed and closed in FY 2020 or requests that were re-opened to process extension requests.

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.

Per Agency Administrative Order (AAO) 214-02, requests for accommodation should be processed and implemented within 45 business days of receiving the request and any necessary documentation. Pursuant to the AAO, the average pendency time of a reasonable accommodation (RA) request is approximately 20 days; the average implementation time of providing any approved accommodation is within 10 days of the accommodation decision being issued. The RA Program Manager tracks the number of requests by: the type grant or denial; job (series, grade, and Agency component); and processing time. The RA Program Manager continued to lead regular bi-monthly meetings with Agency deciding officials, representatives from the Office of General Law; representatives from the Workforce Management Division, and various staff members to discuss and review pending RA cases, analyze trends, and develop consistent and effective approaches to processing, deciding, and implementing RA requests. The Agency conducts periodic internal RA training/briefing sessions to executives and supervisors on a regular basis. The sessions provide information on what constitutes a disability; the Agency's obligation in accommodating PWD; the supervisor's role in the process; common types of accommodations. The sessions include interactive hypothetical scenarios and discussions to provide examples to participants. Also, the Agency provides RA training to employees as part of its new hire orientation, to new managers as part of the internal Supervisor Certificate Program, and to members of executive leadership as part of the agency's Leadership Forum Conference (held once every 2 years). RA and disability training sessions are also provided, upon request.

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

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

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

In furtherance of the Agency's ongoing initiatives to hire and advance individuals with disabilities, OEEOD led the charge to successfully procure the first Agency-wide contract for personal assistance services (PAS) in May 2020. Additionally, OEEOD submitted a revised Reasonable Accommodation policy including PAS to the EEOC. The policy was approved in May 2020. In FY20, the USPTO received one request for PAS services.

## 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 governmentwide average?

Answer Yes

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

Answer No

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

The Agency did not have any findings of discrimination alleging harassment based on disability status in FY20.

### B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer No

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

Answer No

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

The Agency did not have any findings of discrimination involving a failure to provide a reasonable accommodation in FY20.

## 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 Yes

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

Answer Yes

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>Source of the Trigger:</b>		Workforce Data (if so identify the table)							
<b>Specific Workforce Data Table:</b>		Workforce Data Table - B1							
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>		The Agency's lower than expected participation rate of PWD (7.03%) and PWTD (1.77%) than the federal goals of 12% and 2%, respectively.							
Provide a brief narrative describing the condition at issue.									
How was the condition recognized as a potential barrier?									
<b>STATEMENT OF BARRIER GROUPS:</b>		<i>Barrier Group</i>							
		People with Disabilities							
		People with Targeted Disabilities							
<b>Barrier Analysis Process Completed?:</b>		N							
<b>Barrier(s) Identified?:</b>		N							
<b>STATEMENT OF IDENTIFIED BARRIER:</b>		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:50%; text-align: center;">Barrier Name</th> <th style="width:50%; text-align: center;">Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="height: 100px;">Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</td> </tr> </tbody> </table>				Barrier Name	Description of Policy, Procedure, or Practice	Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	
Barrier Name	Description of Policy, Procedure, or Practice								
Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.									
<b>Objective(s) and Dates for EEO Plan</b>									
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description				
10/01/2017	09/30/2021	Yes			Increase the participation rate of PWD/TD to meet the federal goals of 12% and 2%.				
<b>Responsible Official(s)</b>									
<b>Title</b>		<b>Name</b>		<b>Standards Address The Plan?</b>					
Diversity Program Manager		Glorimar Maldonado		Yes					
<b>Planned Activities Toward Completion of Objective</b>									
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date	Completion Date			
09/30/2019	Develop language to include in vacancy announcements that encourage applicants to disclose disability status.			Yes		09/30/2019			
09/30/2019	Work with the Office of Human Resources to ensure that this additional language is included in all future vacancy announcements.			Yes		09/30/2019			

<b>Planned Activities Toward Completion of Objective</b>				
<b>Target Date</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding?</b>	<b>Modified Date</b>	<b>Completion Date</b>
09/30/2021	Include disability advocates and the OHR Schedule A coordinator in the new Diversity and Inclusion Council in order to determine the appropriate next steps.	Yes		
09/30/2021	Conduct annual campaign to encourage the workforce to update their disability status.	Yes		
<b>Report of Accomplishments</b>				
<b>Fiscal Year</b>	<b>Accomplishment</b>			
2019	The following language will be included in vacancy announcements: "Please consider completing this voluntary survey. The data informs our recruitment and outreach initiatives. We do not use the data to identify specific people and we do not consider this data when making personnel decisions."			
2020	In FY20, plans were put in place for the new Diversity and Inclusion Council, which is set to launch in FY21.			

<b>Source of the Trigger:</b>		Workforce Data (if so identify the table)							
<b>Specific Workforce Data Table:</b>		Workforce Data Table - B1							
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?		PWD and PWTD are being involuntarily separated and are resigning at a higher rate than their participation at the agency, which is not true for persons without disabilities. PWD and PWTD represent 7.02% and 1.77% of the permanent workforce, respectfully. PWD and PWTD represent 19.79% and 4.17% of involuntary separations, respectfully. PWD and PWTD represent 10.99% and 2.20% of resignations, respectfully. Persons without disabilities represent 89.34% of the permanent workforce. Of the involuntary separations, 72.92% are persons without disabilities. Of the resignations, 85.16% are persons without disabilities.							
<b>STATEMENT OF BARRIER GROUPS:</b>		<i>Barrier Group</i> People with Disabilities People with Targeted Disabilities							
<b>Barrier Analysis Process Completed?:</b>		N							
<b>Barrier(s) Identified?:</b>		N							
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:50%; text-align: center;">Barrier Name</th> <th style="width:50%; text-align: center;">Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>				Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice								
<b>Objective(s) and Dates for EEO Plan</b>									
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description				
10/01/2017	09/30/2021	Yes			Increase the retention rate of qualified employees with disabilities				
<b>Responsible Official(s)</b>									
<b>Title</b>		<b>Name</b>		<b>Standards Address The Plan?</b>					
RA Program Manager		Heather Austin Jones		Yes					
<b>Planned Activities Toward Completion of Objective</b>									
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date	Completion Date			
09/30/2021	Re-develop content on Reasonable Accommodations given to new employees at orientation. Roll-out redeveloped content to new employees.			Yes					
09/30/2021	Design and implement survey to employees who request reasonable accommodations to identify areas to assess the success of the program and improve process.			Yes					

<b>Planned Activities Toward Completion of Objective</b>				
<b>Target Date</b>	<b>Planned Activities</b>	<b>Sufficient Staffing &amp; Funding?</b>	<b>Modified Date</b>	<b>Completion Date</b>
09/30/2021	Make RA training mandatory for all employees, including supervisors and managers.	Yes		
09/30/2021	Add a disability question to the exit interview along with questions about promotion and career development opportunities	Yes		
09/30/2021	Amplifying messaging on Reasonable Accommodation procedures to further ensure employees' accessibility to the Agency's electronic Accommodation Point system, continue to ensure employees promptly receive the accommodations they are legally entitled to, and continue to assess the effectiveness of the RA program.	Yes		
<b>Report of Accomplishments</b>				
<b>Fiscal Year</b>	<b>Accomplishment</b>			
2019	Plans to develop an exit interview survey were confirmed with the Office of Human Resources.			
2020	<p>In FY 20, the OEEOD Director continued to provide RA training to all new hires as part of the Agency's new employee orientation.</p> <p>In FY20, OEEOD staff began work on developing questions to include in a survey for employees who requested reasonable accommodations, and explored options for delivering the survey and capturing the results (i.e. via a link with each RA decision, or an auto-generated email sent to all RA recipients post-decision).</p> <p>Reasonable accommodation training is not yet mandatory at the Agency, but it is strongly encouraged, and training sessions have had high attendance. The USPTO's internal Leadership Forum, held once every two years, includes RA training sessions developed by OEEOD and presented by the RA Program Manager. For this year's Leadership Forum held August 3-6, 2020, three 90-minute sessions were held due to the high level of interest. Approximately 250 managers and supervisors signed-up for and received this training.</p> <p>In October 2019, OEEOD organized and held its first annual Reasonable Accommodation Assistive Technology Fair. This event presented an opportunity for Agency employees to see live demonstrations of IT hardware and software tools offered to those with disabilities to assist in the performance their job duties. Due to the COVID-19 pandemic, OEEOD made plans to substitute a second annual fair with weekly virtual lunch and learn information sessions in October 2020, with topics to include Section 508 compliance, virtual demonstrations of assistive technologies, and reasonable accommodation process.</p>			

<b>Source of the Trigger:</b>		Workforce Data (if so identify the table)							
<b>Specific Workforce Data Table:</b>		Workforce Data Table - B4							
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?		PWDs and PWTDs are not advancing in their careers as expected. In FY20, there were no identified PWDs selected for internal promotions to GS 15, GS 14, or GS 13 positions, despite being represented in the qualified applicant pool at 0.50%, 5.95%, and 5.26%, respectfully. Additionally, none of the applicants to SES positions identified themselves as a PWD. PWTDs were represented in the qualified applicant pool for GS-15 and GS-14 positions at 0.45% and 1.19%, respectfully. In FY20, there were no identified PWTDs selected for GS 15 or GS 14 positions. Additionally, none of the applicants to GS-13 or SES identified themselves as a PWTD.							
<b>STATEMENT OF BARRIER GROUPS:</b>		<i>Barrier Group</i> People with Disabilities People with Targeted Disabilities							
<b>Barrier Analysis Process Completed?:</b>		N							
<b>Barrier(s) Identified?:</b>		N							
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: center;">Barrier Name</th> <th style="width: 50%; text-align: center;">Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>				Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice								
<b>Objective(s) and Dates for EEO Plan</b>									
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description				
10/01/2017	09/30/2021	Yes			Increase the participation rate of PWDs at the higher GS-11 through SES levels.				
10/01/2017	09/30/2021	Yes			Increase the number of applicants to internal promotions that disclose their disability status.				
<b>Responsible Official(s)</b>									
<b>Title</b>		<b>Name</b>		<b>Standards Address The Plan?</b>					
Diversity Program Manager		Glorimar Maldonado		Yes					
<b>Planned Activities Toward Completion of Objective</b>									
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date	Completion Date			
09/30/2021	Work with leaders of Agency's affinity group, responsAbility, focused on PWDs and PWTDs to discuss ways to improve the enterprise-wide mentoring program.			Yes					

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2021	Meet with representatives who are responsible for mentoring program to discuss modifications to programs to help PWDs and PWTDS.	Yes		
09/30/2021	Work with responsAbility to help advertise mentoring program, and other career development programs to their members.	Yes		
09/30/2021	Determine why applicants choose not to disclose disability status when applying for an internal promotion.	Yes		
09/30/2021	Develop a plan to use existing data systems to improve data on applicants and hires to internal promotions.	Yes		
Report of Accomplishments				
Fiscal Year	Accomplishment			
2019	Only one SES internal hire was made in FY19. The participation rate for PWTD in GS-11 through SES (2.00%) was higher than the PWTD participation rate in the Agency as a whole (1.72%).			
2020	Members of responsAbility and employees in the Office of EEO and Diversity have formed a Disability Advisory Council, now under the direction of the Diversity Program Manager. In FY20, plans were made to fold this group into a new Diversity and Inclusion Council, to be launched in FY21. In FY20, there were 11 SES selections, of which 1 new executive (9.09%) is a PWD, and none are PWTDS.			

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).

In FY19, language was added to vacancy announcements with the goal of increasing the number of responses to a survey indicating disability status. In FY 20, the USPTO hired 690 new employees in the permanent workforce. Of those hires, 15.65% were PWD, 2.32% were PWTD, and 7.39% did not disclose their disability status. In FY19, of the 599 permanent hires, 10.85% were PWD, 2.67% were PWTD, and 6.34% did not disclose their disability status. We hope to see long a long term reduction in the number of new applicants who do not disclose their disability status.

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.

In FY19, The Office of Equal Employment Opportunity and Diversity has added one full time equivalent to the diversity team in an effort to enhance USPTO's ability to recruit, retain, and advance the careers of PWDs and PWTDS. Additionally, a new Diversity Program Manager was hired in FY19 who and took on a leadership role in the Agency's Disability Advisory Council that helps OEEOD better serve the needs of PWDs and PWTDS. In FY21, the Disability Advisory Council will be folded into a new Diversity and Inclusion Council.