

**FY 2010**

**FEDERAL AGENCY**

**ANNUAL EEO PROGRAM STATUS REPORT**

**MANAGEMENT DIRECTIVE 715**

**U.S. Department of Commerce  
National Oceanic and Atmospheric Administration**

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**OCTOBER 1, 2009, TO SEPTEMBER 30, 2010**

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**EEOC FORM  
715-01 PART A - D**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

**For period covering October 1, 2009 to September 30, 2010**

<b>PART A</b>  Department or Agency Identifying Information	<b>1. Agency</b>		U.S. Department of Commerce	
	1.a. 2 <sup>nd</sup> level reporting component		National Oceanic and Atmospheric Administration	
	1.b. 3 <sup>rd</sup> level reporting component			
	1.c. 4 <sup>th</sup> level reporting component			
	<b>2. Address</b>		Herbert C. Hoover Building, Room 5128 14 <sup>th</sup> and Constitution Avenue, N.W., OR 1315 East West Highway SSMC3, Room 15538	
	<b>3. City, State, Zip Code</b>		Washington, DC 20230 OR Silver Spring, MD 20910	
	<b>4. CPDF Code</b>	<b>5. FIPS code(s)</b> 1330	<b>4. CM54</b>	<b>5. 11 – DC 24031 – MD</b>
<b>PART B</b>  Total Employment	<b>1. Enter total number of permanent full-time and part-time employees</b>		13,340	
	<b>2. Enter total number of temporary employees</b>		565	
	<b>3. Enter total number employees paid from non-appropriated funds</b>		Not Available	
	<b>4. TOTAL EMPLOYMENT [add lines B 1 through 3]</b>		13,905	
<b>PART C</b>  Agency Official(s) Responsible For Oversight of EEO Program(s)	1. Head of Agency Official Title		Jane Lubchenco, Ph.D., Administrator, NOAA	
	2. Agency Head Designee		William F. Broglie, Chief Administrative Officer	
	3. Principal EEO Director/Official Official Title/series/grade		Joseph E. Hairston, Director, Civil Rights Office ZA-260-V	
	4. Title VII Affirmative EEO Program Official		4. N/A	

	5. Section 501 Affirmative Action Program Official	5. N/A
	6. Complaint Processing Program Manager	6. N/A
	7. Other Responsible EEO Staff	<b>7.</b> Anthony Reeves, EEO Manager Carol Summers, EEO Manager Helen Buggs, EEO Manager Coneshea Simpson, EEO Manager Michelle Moore, EEO Manager Jeanette Toledo, EEO Specialist Tillman Peck, Data Analyst Monica Hodnett, EEO Assistant

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<p style="text-align: center;"><b>PART D</b></p> <p>List of Subordinate Components Covered in This Report</p>	<p style="text-align: center;"><b>Subordinate Component and Location (City/State)</b></p>	<p style="text-align: center;"><b>CPDF and FIPS codes</b></p>	
	<p>National Weather Service (NWS) Silver Spring, MD</p>	<p>CM54</p>	<p>24031</p>
<p>National Ocean Service (NOS) Silver Spring, MD</p>	<p>CM54</p>	<p>24031</p>	
<p>National Marine Fisheries Service (NMFS) Silver Spring, MD</p>	<p>CM54</p>	<p>24031</p>	
<p>Office of Oceanic and Atmospheric Research Silver Spring, MD/Boulder, CO</p>	<p>CM54</p>	<p>24031/08013</p>	
<p>National Environmental Satellite, Data and Information Service (NESDIS) Silver Spring, MD</p>	<p>CM54</p>	<p>24031</p>	
<p>Office of Marine and Aviation Operations (OMAO) Silver Spring, MD</p>	<p>CM54</p>	<p>24031</p>	
<p>NOAA Staff Offices Washington, D.C. &amp; Silver Spring, MD</p>	<p>CM54</p>	<p>24031</p>	

EEOC FORMS and Documents Included With This Report			
*Executive Summary [FORM 715-01 PART E], that includes:	X	*Optional Annual Self-Assessment Checklist Against Essential Elements [FORM 715-01PART G]	X
Brief paragraph describing the agency's mission and mission-related functions	X	*EEO Plan To Attain the Essential Elements of a Model EEO Program [FORM 715-01PART H] for each programmatic essential element requiring improvement	X
Summary of results of agency's annual self-assessment against MD-715 "Essential Elements"	X	*EEO Plan To Eliminate Identified Barrier [FORM 715-01 PART I] for each identified barrier	X
Summary of Analysis of Work Force Profiles including net change analysis and comparison to RCLF	X	*Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals With Targeted Disabilities for agencies with 1,000 or more employees [FORM 715-01 PART J]	X
Summary of EEO Plan objectives planned to eliminate identified barriers or correct program deficiencies	X	*Copy of Workforce Data Tables as necessary to support Executive Summary and/or EEO Plans	X
Summary of EEO Plan action items implemented or accomplished	X	*Copy of data from 462 Report as necessary to support action items related to Complaint Processing Program deficiencies, ADR effectiveness, or other compliance issues.	X
*Statement of Establishment of Continuing Equal Employment Opportunity Programs [FORM 715-01 PART F]	X	*Copy of Facility Accessibility Survey results as necessary to support EEO Action Plan for building renovation projects	X
*Copies of relevant EEO Policy Statement(s) and/or excerpts from revisions made to EEO Policy Statements	X	*Organizational Chart	X

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**EEOC FORM  
715-01 PART E**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

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**NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**  
**For Period Covering October 1, 2009, to September 30, 2010**

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## **EXECUTIVE SUMMARY**

### **INTRODUCTION**

On October 1, 2003, Management Directive 715 (MD-715) became effective. Title VII of the Civil Rights Act of 1964, as amended, and Section 501 of the Rehabilitation Act of 1973, as amended, require federal agencies to take proactive steps to ensure equal employment opportunity for all employees and applicants for employment. This means that agencies must work to proactively prevent potential discrimination before it occurs and establish systems to monitor compliance with Title VII.

### **MISSION AND MISSION-RELATED FUNCTIONS**

NOAA's mission is to understand and predict changes in the Earth's environment and conserve and manage coastal and marine resources to meet our Nation's economic, social, and environmental needs.

NOAA, one of several operating units within the U.S. Department of Commerce (DOC), provides a variety of environmental services to the Nation. NOAA's goals are to protect, restore, and manage the use of coastal and ocean resources through an ecosystem approach to management; understand climate variability and change to enhance society's ability to plan and respond; serve society's needs for weather and water information; support the Nation's commerce with information for safe, efficient, and environmentally sound transportation; and provide critical support for NOAA's mission. These services are provided by NOAA's National Weather Service; National Marine Fisheries Service; National Ocean Service; National Environmental Satellite, Data and Information Service; Office of Oceanic and Atmospheric Research; and the Program Planning and Integration Office.

NOAA's major occupations include the following job series: Meteorologist, Fishery Biologist, Computer Science/Information Technology Specialist, and General Physical Scientist.

### **WORKFORCE ANALYSIS SUMMARY**

During FY 2010, NOAA's total workforce (permanent, temporary and term) included 13,905<sup>1</sup> total employees. This represents an increase from the FY 2009 workforce (13,721) of 184 individuals (1.3). An analysis of the workforce data reflects several trends. Females and Black males continued to have lower than expected participation rates in NOAA when compared to their availability in the Civilian Labor Force (CLF). Hispanic males and females also had substantially lower than expected participation rates when compared to their

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<sup>1</sup> The demographic data for this report is based on the MD 715 Data Tables provided to NOAA by the Department of Commerce's Office of Civil Rights. MD 715 requires that the data include all employees who appeared on the rolls at any time during the year. This is different than typical data reports or references, which are snapshot, and "as of" a certain time of the year, i.e., September 30.

availability in the CLF. Although the number of Multiple Race males remained the same and females increased, the participation rates remained below the CLF.

The following EEO groups are above or equal to the CLF:

- White males
- Black females
- Asian males and females
- Native Hawaiian or Other Pacific Islander males and females
- American Indian or Alaska Native males and females

During FY 2010, NOAA also experienced declining participation rates among some EEO groups. Those groups affected include Hispanic males and females by 0.4 and 5.5 respectively, and Native Hawaiian or Other Pacific Islander males by 14.3.

In respect to disability workforce statistics, in comparing NOAA's FY 2010 workforce (13,905) to the FY 2009 workforce (13,721), there was an overall increase of 184 individuals (1.3). During this same time period, the number of permanent employees with disabilities increased by 27. The participation rate of NOAA employees with targeted disabilities is 0.6, substantially below the two percent (2) Federal Goal<sup>2</sup>.

NOAA's largest groups of employees with targeted disabilities are in the following categories: deafness (18), blindness (15), and mental illness (15).

## **AGENCY SELF ASSESSMENT SUMMARY OF THE 'ESSENTIAL ELEMENTS**

### ***A. Demonstrated commitment from agency leadership.***

#### **Strengths:**

NOAA issued a written policy statement expressing its commitment to EEO and a workplace free of discriminatory harassment. The EEO/Anti-harassment policy statement was issued to all employees and posted in all personnel offices, and EEO offices. Reasonable accommodations procedures were disseminated on NOAA's public Web site.

Employees are provided a copy of the EEO policy when promoted into supervisory positions. NOAA's Workforce Management Office conducts a quarterly Supervisory Training Program that includes presentations on The Basics of EEO, Reasonable Accommodations, Classification/Staffing, and Employee/Labor Relations.

NOAA requires that annual performance appraisals for managers and supervisors include an evaluation of their commitment to equal opportunity (EO) and adherence to its Civil Rights (CR) policy. Annual performance appraisals for all SES-level supervisors and managers include an element evaluating their compliance and commitment to CR and EEO.

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<sup>2</sup> In FY 2009 NOAA adopted the Federal Goal of 2% participation of employees with targeted disabilities, and therefore is using that figure as the benchmark for comparison. The EEOC has recommended a goal of 2% as a part of the LEAD (Leadership for the Employment of Americans with Disabilities) initiative to address the declining number of employees with targeted disabilities in the federal workforce. In a training of Disability Program Managers, EEOC formally announced that the Federal High would no longer be used--instead the benchmark will be the Federal Goal of 2%.



The NOAA Line/Staff Civil Rights Offices provided several webcast sessions including: Veteran Issues, Hiring People with Disabilities using Schedule A Hiring Authority, and Reasonable Accommodations to supervisors, managers, and employees to ensure understanding and reaffirm our support of the participation of people within the workforce. All employees also completed the mandatory No FEAR training through the Commerce Learning Center.

The Agency's CR program is allocated sufficient resources and funding to ensure success of its operation. The CR Director has the authority to ensure implementation of Agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equal opportunity.

NOAA's National Ocean Service (NOS) developed an EEO and Diversity Action Plan to enable supervisors, managers, and employees to recognize and integrate diversity principles and goals for a productive inclusive workplace for the 21<sup>st</sup> century. The plan requires: 1) leadership commitment to diversity-top down effect; 2) inclusion of diversity management in strategic planning; 3) diversity linked to performance management system; 4) performance measures and accountability; 4) external recruitment; 5) diversity training; and 6) employee and management involvement.

**Deficiencies:** There are no deficiencies in this element.

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

#### **Strengths:**

Though development of NOAA's Next Generation Strategic Plan, the agency has committed to creating a diverse and capable workforce, by increasing the number of underrepresented groups within our workforce over the next five years.

The Agency developed an Asian Americans and Pacific Islanders (AAPIs) Action Plan, which establishes a three-pronged strategy to improve the well-being of Asian Americans and Pacific Islanders (AAPIs), as consistent with E.O 13515: including: 1) outreach and education initiatives, 2) recruitment initiatives, and 3) investments in new facilities in Hawaii.

During FY 2010, the CRO and Workforce Management Office coordinated efforts to develop a final draft to NOAA's Framework for Workforce Diversity Plan; which identified strategies for addressing the continuous low participation rate of minorities and persons with disabilities within our workforce.

In FY 2010, the NOS National Centers for Coastal Ocean Science developed a Memorandum of Understanding with the American Indian Science and Engineering Society (AISES). The goals of the agreement are to: 1) increase educational and employment opportunities for AISES-affiliated students; 2) increase the recruitment pool of American Indian and Alaska Native scientist in NOAA-related sciences; 3) mentor AISES-affiliated students interested in NOAA related-sciences; 4) support and facilitate intellectual exchange between NOAA/NOS scientist and AISES-affiliated faculty and students; and 5) strengthen NOS support of AISES goals and objectives. The parties will work together to substantially increase the representation of American Indian and Alaska Natives in NOAA related science and engineering disciplines.

The NOS EEO and Diversity Program Office supported five (5) Student Temporary Employment Program (STEP) appointments for students recruited from local high schools and universities.

In FY 2010, NOAA's National Weather Service (NWS) had 182 students participate in its Student Career Experience Program, including approximately 80 female participants. This program offered work experience directly related to the student's academic program and career goals; such as meteorology and atmospheric science.

The NWS Office of Equal Opportunity & Diversity Management (OEODM) also supported the agency's Education Partnership Program, resulting in internship opportunities and outreach activities to program participants. The goal of the program is to increase the number of students from underrepresented communities who are educated, trained and graduated in fields that directly support NOAA's mission.

The NWS participated in the 2010 Society for the Advancement of Chicanos and Native American in Science (SACNAS) Conference. The NWS also participated in a two day career fair at the conference with employees serving as booth staff, poster contest judges, and mentors. The conferences served over 3,000 students, with the purpose of exposing the NWS to Hispanic and American Indian students in engineering and science.

The NWS Office of Climate Water and Weather Service Director serves as the Technical Monitor for the NOAA Center for Atmospheric Science (NCAS) at Howard University. NCAS is a program designed to promote student education, training, and research on the accuracy of weather and climate forecast models. NCAS strengthens NWS ties with minority serving institutions through their academic partnerships with Howard University, Jackson State University, University of Puerto Rico, and University of Texas at El Paso.

NOAA's National Marine Fisheries Service (NMFS) sponsored three (3) males and nine (9) females in the Fisheries Undergraduate Academic Program (UAP). The UAP is a four-year program which allows employees to enroll and attend undergraduate level or training courses at an accredited academic institution of their choice while still receiving their full salary. NMFS also hosted 16 interns (9 females/7 males), in the Woods Hole Partnership Education Program (PEP). This program promotes diversity in the Woods Hole science community through a summer internship program for underrepresented groups, aimed at college juniors/seniors with course work in marine and/or environmental sciences. PEP students participate in a four-week course focused on global climate change and then spend six-to-eight-weeks on individual research projects, culminating in a public presentation of their research results.

For ten weeks, the NMFS Northeast Regional Office Summer Intern Program hosted 12 undergraduate/graduate students from several universities, including Florida A&M and Norfolk State University. Internships offered hands-on opportunities to learn about our work in planning, organizing and implementing programs for fishery management, resource allocations, and habitat and protected species conservation.

NOAA's NMFS initiated and co-chaired the first Career and Training Fair for Native American students at the Northwest Indian College in Bellingham, Washington. Over 250 (Undergraduates and High school students) were in attendance, in addition to over 30 exhibitors from both federal and private sector organizations. Workshops on recruitment and hiring were provided to the students by NOAA officials, and exhibitors shared information, reviewed resumes and provided guidance on their specific organizational needs. Tribal leaders also had an opportunity to speak with agency officials about potential partnerships in the recovery and management of salmon.

For a fourth year, NMFS funded the Diversity Internship Project. This project provides internship opportunities for Native American students of the Northwest Indian College. The goals of the project are to: 1) nurture academic and experiential development for high school and university students interested in natural resources, engineering and biology; 2) expose the Native American community to the work and science of NMFS, and 3) promote diversity within NOAA Fisheries.

One (1) Hispanic male was permanently placed in a scientific position within the NMFS Northwest Fisheries Science Center, as a result of his completion of the NOAA Educational Partnership Program. The Northeast Fisheries Science Center also recruited five (5) women, and one (1) individual with a disability.

The NMFS Southeast Fisheries Science Center (SEFSC) enabled three (3) minority students to participate in summer research cruises. In addition, the SEFSC hosted a group of 25 students and two (2) teachers from Trinidad and Tobago interested in learning about NOAA's role in Aquaculture.

The NMFS added one (1) FTE to the Program Office for EEO and Diversity. Through coordination with the Targeted Recruitment Program Manager and the Office of Civil Rights, they were able to recruit an individual with a disability through the Schedule A program.

NOAA's Office of Marine and Aviation Operations (OMAO) employed several students comprised of one (1) African American male, one (1) African American female, and one (1) Asian male, through the use of several hiring resources, such as the NOAA Educational Partnership Program, the DC Summer Youth Employment Program, and the Student Volunteer Service.

The Office of Oceanic and Atmospheric Research (OAR) provided funding support to several national organizations working to increase the representation of women and minorities in the Science, Technology, Engineering and Math (STEM) fields, including:

- The Denver Federal Executive Board/American Indian Program Council American Indian Heritage Month training seminar which featured a panel on expanding STEM efforts with Tribal Colleges and Universities (TCU).
- The Society for the Advancement of Chicanos and Native Americans (SACNAS) National Conference.
- The Science on a Sphere (SOS) display at the Oregon Museum of Science and Industry as an activity for students and teachers at the American Indian Science & Engineering Society (AISES) National Conference.
- The Society of American Indian Government Employees (SAIGE) Annual National Training Conference Youth Track program. Students from mainstream colleges and universities and Tribal Colleges and Universities (TCUs) received training on leadership development and the Federal hiring process.

NOAA's OAR utilized various student programs and partnerships with national organization internship programs to recruit students including:

- Hispanic Association of Colleges & Universities (HACU) intern program: recruited and placed a student from the University of Puerto Rico at Bayamon and has committed to hire another HACU intern in 2011.
- Hollings Scholars Program; in which 26 students were placed throughout OAR, working on research opportunities specific to their career backgrounds.
- Office of Education (OE) Educational Partnership Program (EPP) Undergraduate Scholars program hired four (4) African-American students from Mississippi Valley State University, North Carolina

Agricultural & Technical State University, Texas State University and Texas Southern University; and students in Boulder, CO.

- NOAA Interdisciplinary Scientific Environmental Technology (ISET) Cooperative Science Center placed students in summer internships in ESRL in Boulder, CO, which included 14 STEP and SCEP students; including 9 white males, 4 white females, and 1 Asian male.

OAR placed advertisements on OAR careers in conference programs and events targeting minority and underprivileged groups; including the Boulder County Community Action Program Multicultural Awards program, the Southern Appalachian Science and Engineering Fair (SASEF), and the MAES Magazine Spring 2010 Issue.

**Deficiencies:** The CR Director does not report directly to the agency head. However, the CR Director regularly participates in the Human Capital Council Meeting and other high level meetings which serve as a forum to communicate the status and effectiveness of EEO programs.

### ***C. Management and Program Accountability***

#### **Strengths:**

The NOAA Civil Rights Office (CRO) provided regular updates to Line Office EEO & Diversity Program Managers about the status of EEO complaint activity within their respective areas, in order to analyze trends and proactively address potential discriminatory actions.

Procedures are in place to track and monitor reasonable accommodations through a full time position within the Workforce Management Office (WFMO).

#### **Deficiency:**

There are no weaknesses to this element.

### ***D. Proactive prevention of unlawful discrimination***

#### **Strengths:**

In collaboration with the WMFO and the Department of Commerce, NOAA developed a user-friendly interface to the National Finance Center (NFC) database, which supports user's ability to run data reports that meet the CRO MD-715 reporting requirements.

The CRO and WFMO partnered to establish a platform available to all NOAA employees that enables them to update and/or verify their ethnicity, race, sex, and/or disability information.

NOAA's Civil Rights and EEO Policy Statement and other EEO-related statements (i.e., sexual harassment, reasonable accommodations, etc.) are provided to all employees through the New Employee Orientation.

Supervisors, managers, and employees are encouraged to resolve EEO issues at the lowest level, and utilize the Agency's ADR (mediation for EEO issues/complaints); the Employee Assistance Program; and other workplace conflict resolution programs. During FY 2010, good faith efforts were made repeatedly to resolve the EEO complaints throughout the Informal process, using facilitated meetings as an additional recourse to traditional counseling.

**Deficiency:**

The participation of supervisors and managers in the ADR process is not required. Departmental policy on ADR, as vetted through the employee union, requires that ADR be voluntary for all parties.

***E. Efficiency***

**Strengths:**

NOAA employs a full-time Reasonable Accommodations Coordinator who coordinates and assists with processing requests for reasonable accommodations in all components of the Agency.

The Agency utilizes an internal tracking system to monitor and track the status of the EEO complaint process. This allows Specialist to identify/analyze the location, status, and length of time elapsed at each stage of the Agency's complaints resolution process; the issues and the bases of the complaints; and other information necessary to analyze complaint activity aimed at increasing the effectiveness of the agency's EEO program.

In accordance with EEO Management Directive MD-110, NOAA ensured that newly elected EEO counselors received the required 32 hours of training and the annual 8-hour refresher training for all EEO counselors.

The Agency developed Standard Operating Procedures for Special Emphasis Program Commemorative Events, in an effort to develop and maintain a level of consistency in the management of NOAA-wide sponsored programs.

At a minimum, 90% of all reasonable accommodation requests are processed within the required timeframes.

**Deficiency:**

There are no weaknesses to this element.

***F. Responsiveness and legal compliance.***

**Strengths:**

NOAA was in compliance with federal EEO statues and regulations, policy guidance, and other applicable written instructions with respect to our responsiveness and legal compliance. NOAA follows Commerce and EEOC reporting requirements and complies with EEO orders and directives. The Agency ensures completion of ordered corrective actions and timely submits its compliance reports to the Department.

Processing of monetary agreements is processed by the responsible Line/Staff Office Official. Documentation for completing compliance is promptly provided and reviewed by the CRO.

**Deficiencies:** There are no weaknesses to this element.

## **SUMMARY OF EEO PLAN OBJECTIVES TO ELIMINATE IDENTIFIED BARRIERS – PART I** **PLAN SUMMARIES**

A thorough analysis of NOAA's workforce data found in the A and B Tables reflects the existence of several "triggers" at various stage of the employment cycle. These analyses have been included as attachments in this year's report.

NOAA carried three Part I Plans into FY 2010, clustered in three areas: 1) the low participation rates of minorities in the GS-13 (or equivalent) and above; 2) the low participation rates of specific minorities in NOAA's major occupations; and 3) the low participation rates of individuals with targeted disabilities across NOAA. These Part I Plans are being carried into Fiscal Year 2011.

Part I Plan #1, which previously broadly addressed the low participation of certain EEO groups in higher graded positions, is currently being refined. During FY 2011, the CRO will lead the effort to further refine this specific issue, and will then conduct a barrier analysis utilizing the new methodology that was developed in FY 2009.

Part I Plan #2, which focused on the low participation rates of minority groups in NOAA's major occupations, has been modified and refined to focus on the low participation rates of Hispanic Fisheries Biologists. The Civil Rights staff will apply the new barrier analysis methodology to complete a study and will conclude the analysis and will report on the outcomes in the FY 2011 Report.

Part I Plan #3 focuses on the decreasing numbers of employees with targeted disabilities. As the participation rates continue to decrease on an annual basis, this appears to be a negative trend. This will continue to be addressed through barrier analyses in FY 2011 and FY 2012.

### **EEO COMPLAINT TRENDS**

During Fiscal Year 2010, the NOAA Civil Rights Office completed 99 counselings. This represents an increase of 18 (22%) as compared to 81 in FY 2009. In addition, the use of Alternative Dispute Resolution (ADR) increased by 16; from 2 in FY 2009 to 18 in FY 2010. Of those that elected ADR, 5 (28%) were settled. We will continue to encourage managers and employees to utilize the ADR process to resolve workplace conflict.

During FY 2010, NOAA experienced an increase of 3 (6%) in the number of formal complaints; from 57 in FY 2009, to 60 in FY 2010. Reprisal and age continued as the top two (2) bases, the same as they were for the last four fiscal years. Harassment (non-sexual) continued to be the highest raised issue in FY 2010, with Evaluation/Appraisal, and Promotion/non-selection among the next highest set of issues. During FY 2011, the NOAA Civil Rights Office will continue to collaborate with the Line Office EEO Program Managers to address these current trends through training and other measures.

### **CONCLUSION**

During Fiscal Year 2010, NOAA moved closer to achieving the goal of becoming a model EEO agency. The self-assessment reflected that NOAA met the majority of the basic compliance measures required of a model EEO agency.

NOAA's workforce demographics by ethnicity, race, sex and disability reflect that while the workforce is stable and growing slightly, the agency still is not as diverse as the general population of the country. The agency remains committed to examining the reasons for the low participation rates by conducting a thorough barrier analysis on identified triggers, and implementation of the Diversity Recruitment Plan.

In looking towards Fiscal Year 2011, the Civil Rights Office (CRO) will continue to strengthen relationships with key stakeholders across the agency and provide sound guidance and education to the Line and Staff Offices and other partners on issues relating to MD 715. The agency will work to address the identified compliance measures that were not met in FY 10. The agency will also continue to monitor workforce demographics by ethnicity, race, sex and disability, and will take bold steps to determine the root cause for the agency's low participation rates among the various EEO groups at all stages of the employment cycle. In order to achieve these goals over the coming year, the NOAA CRO will continue its efforts to promote MD 715 as a year round process and a paradigm shift from reaction to pro-active prevention.

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**EEOC FORM  
715-01 PART F**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
**CERTIFICATION of ESTABLISHMENT of CONTINUING  
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**

I, Joseph E. Hairston, Director, Civil Rights Office, ZA-260-V, am the Principal EEO Director/Official for the National Oceanic and Atmospheric Administration (NOAA).

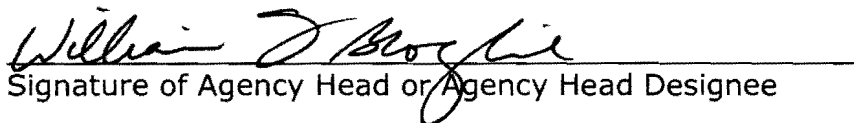
The agency has conducted an annual self-assessment of Section 717 and Section 501 programs against the essential elements as prescribed by EEO MD-715. If an essential element was not fully compliant with the standards of EEO MD-715, a further evaluation was conducted and, as appropriate, EEO Plans for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

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

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

  
\_\_\_\_\_  
Signature of Principal EEO Director and Reporting Component Designee Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.

1/28/11  
\_\_\_\_\_  
Date





  
\_\_\_\_\_  
Signature of Agency Head or Agency Head Designee



1/31/2011  
\_\_\_\_\_  
Date



**EEOC FORM  
715-01 PART G**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
**AGENCY SELF-ASSESSMENT CHECKLIST MEASURING ESSENTIAL ELEMENTS**

**NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION – FY 2010**



<b>Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP</b> Requires the agency head to issue written policy statements ensuring a workplace free of discriminatory harassment and a commitment to equal employment opportunity.				
 <b>Compliance Indicator</b>	<b>EEO policy statements are up-to-date.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		Yes	No	
The Agency Head was installed on <u>March 20, 2009</u> . The EEO policy statement was issued on <u>September 30, 2010</u> . Was the EEO policy Statement issued within 6 - 9 months of the installation of the Agency Head? If no, provide an explanation.		<b>X</b>		
During the current Agency Head's tenure, has the EEO policy Statement been re-issued annually? If no, provide an explanation.		<b>X</b>		
Are new employees provided a copy of the EEO policy statement during orientation?		<b>X</b>		
When an employee is promoted into the supervisory ranks, is s/he provided a copy of the EEO policy statement?		<b>X</b>		
 <b>Compliance Indicator</b>	<b>EEO policy statements have been communicated to all employees.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		Yes	No	



Have the heads of subordinate reporting components communicated support of all agency EEO policies through the ranks?		X		
Has the agency made written materials available to all employees and applicants, informing them of the variety of EEO programs and administrative and judicial remedial procedures available to them?		X		
Has the agency prominently posted such written materials in all personnel offices, EEO offices, and on the agency's internal website? [see 29 CFR §1614.102(b)(5)]		X		
 <b>Compliance Indicator</b>	<b>Agency EEO policy is vigorously enforced by agency management.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
Are managers and supervisors evaluated on their commitment to agency EEO policies and principles, including their efforts to:		X		
- resolve problems/disagreements and other conflicts in their respective work environments as they arise?		X		
- address concerns, whether perceived or real, raised by employees and following-up with appropriate action to correct or eliminate tension in the workplace?		X		
- support the agency's EEO program through allocation of mission personnel to participate in community out-reach and recruitment programs with private employers, public schools and universities?		X		
- ensure full cooperation of employees under his/her supervision with EEO office officials such as EEO Counselors, EEO Investigators, etc.?		X		
- ensure a workplace that is free from all forms of discrimination, harassment and retaliation?		X		
- ensure that subordinate supervisors have effective managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications ?		X		
- ensure the provision of requested religious accommodations when such accommodations do not cause an undue hardship?		X		
- ensure the provision of requested disability accommodations to qualified individuals with disabilities when such accommodations do not cause an undue hardship?		X		





Have all employees been informed about what behaviors are inappropriate in the workplace and that this behavior may result in disciplinary actions?	X		
Describe what means were utilized by the agency to so inform its workforce about the penalties for unacceptable behavior.			
Have the procedures for reasonable accommodation for individuals with disabilities been made readily available/accessible to all employees by disseminating such procedures during orientation of new employees and by making such procedures available on the World Wide Web or Internet?	X		
Have managers and supervisor been trained on their responsibilities under the procedures for reasonable accommodation?	X		

**Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION**

**Requires that the agency's EEO programs be organized and structured to maintain a workplace that is free from discrimination in any of the agency's policies, procedures or practices and supports the agency's strategic mission.**

 Compliance Indicator	<b>The reporting structure for the EEO Program provides the Principal EEO Official with appropriate authority and resources to effectively carry out a successful EEO Program.</b>	Measure has been met		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
		Yes	No	
 Measures				
Is the EEO Director under the direct supervision of the agency head? <b>[see 29 CFR §1614.102(b)(4)]</b> For subordinate level reporting components, is the EEO Director/Officer under the immediate supervision of the lower level component's head official? (For example, does the Regional EEO Officer report to the Regional Administrator?)			X	<u>See</u> Part H Plan #1.
Are the duties and responsibilities of EEO officials clearly defined?		X		
Do the EEO officials have the knowledge, skills, and abilities to carry out the duties and responsibilities of their positions?		X		
If the agency has 2 <sup>nd</sup> level reporting components, are there organizational charts that clearly define the reporting structure for EEO programs?		X		
If the agency has 2 <sup>nd</sup> level reporting components, does the agency-wide EEO Director have authority for the EEO programs within the subordinate reporting components?		X		





If not, please describe how EEO program authority is delegated to subordinate reporting components.				
 <b>Compliance Indicator</b>	<b>The EEO Director and other EEO professional staff responsible for EEO programs have regular and effective means of informing the agency head and senior management officials of the status of EEO programs and are involved in, and consulted on, management/personnel actions.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
Does the EEO Director/Officer have a regular and effective means of informing the agency head and other top management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program?		<b>X</b>		
Following the submission of the immediately preceding FORM 715-01, did the EEO Director/Officer present to the head of the agency and other senior officials the "State of the Agency" briefing covering all components of the EEO report, including an assessment of the performance of the agency in each of the six elements of the Model EEO Program and a report on the progress of the agency in completing its barrier analysis including any barriers it identified and/or eliminated or reduced the impact of?		<b>X</b>		
Are EEO program officials present during agency deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections for training/career development opportunities, and other workforce changes?		<b>X</b>		
Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions such as re-organizations and re-alignments?		<b>X</b>		
Are management/personnel policies, procedures and practices examined at regular intervals to assess whether there are hidden impediments to the realization of equality of opportunity for any group(s) of employees or applicants? <b>[see 29 C.F.R. § 1614.102(b)(3)]</b>		<b>X</b>		
Is the EEO Director included in the agency's strategic planning, especially the agency's human capital plan, regarding succession planning, training, etc., to ensure that EEO concerns are integrated into the agency's strategic mission?		<b>X</b>		





 <b>Compliance Indicator</b>	<b>The agency has committed sufficient human resources and budget allocations to its EEO programs to ensure successful operation.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
	Does the EEO Director have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity?	<b>X</b>		
	Are sufficient personnel resources allocated to the EEO Program to ensure that agency self-assessments and self-analyses prescribed by EEO MD-715 are conducted annually and to maintain an effective complaint processing system?	<b>X</b>		
	Are statutory/regulatory EEO related Special Emphasis Programs sufficiently staffed?	<b>X</b>		
	Federal Women's Program - 5 U.S.C. 7201; 38 U.S.C. 4214; Title 5 CFR, Subpart B, 720.204	<b>X</b>		
	Hispanic Employment Program - Title 5 CFR, Subpart B, 720.204	<b>X</b>		
	People With Disabilities Program Manager; Selective Placement Program for Individuals With Disabilities - Section 501 of the Rehabilitation Act; Title 5 U.S.C. Subpart B, Chapter 31, Subchapter I-3102; 5 CFR 213.3102(t) and (u); 5 CFR 315.709	<b>X</b>		
	Are other agency special emphasis programs monitored by the EEO Office for coordination and compliance with EEO guidelines and principles, such as FEORP - 5 CFR 720; Veterans Employment Programs; and Black/African American; American Indian/Alaska Native, Asian American/Pacific Islander programs?	<b>X</b>		
 <b>Compliance Indicator</b>	<b>The agency has committed sufficient budget to support the success of its EEO Programs.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
	Are there sufficient resources to enable the agency to conduct a thorough barrier analysis of its workforce, including the provision of	<b>X</b>		

adequate data collection and tracking systems			
Is there sufficient budget allocated to all employees to utilize, when desired, all EEO programs, including the complaint processing program and ADR, and to make a request for reasonable accommodation? (Including subordinate level reporting components?)	X		
Has funding been secured for publication and distribution of EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures, etc.)?	X		
Is there a central fund or other mechanism for funding supplies, equipment and services necessary to provide disability accommodations?	X		
Does the agency fund major renovation projects to ensure timely compliance with Uniform Federal Accessibility Standards?	X		
Is the EEO Program allocated sufficient resources to train all employees on EEO Programs, including administrative and judicial remedial procedures available to employees?	X		
Is there sufficient funding to ensure the prominent posting of written materials in all personnel and EEO offices? [see 29 C.F.R. § 1614.102(b)(5)]	X		
Is there sufficient funding to ensure that all employees have access to this training and information?	X		
Is there sufficient funding to provide all managers and supervisors with training and periodic up-dates on their EEO responsibilities:	X		
- for ensuring a workplace that is free from all forms of discrimination, including harassment and retaliation?	X		
- to provide religious accommodations?	X		
- to provide disability accommodations in accordance with the agency's written procedures?	X		
- in the EEO discrimination complaint process?	X		
- to participate in ADR?	X		

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

**This element requires the Agency Head to hold all managers, supervisors, and EEO Officials responsible for the effective implementation of the agency's EEO Program and Plan.**

 <b>Compliance Indicator</b>	<b>EEO program officials advise and provide appropriate assistance to managers/supervisors about the status of EEO programs within each manager's or supervisor's area or responsibility.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
	Are regular (monthly/quarterly/semi-annually) EEO updates provided to management/supervisory officials by EEO program officials?	X		
	Do EEO program officials coordinate the development and implementation of EEO Plans with all appropriate agency managers to include Agency Counsel, Human Resource Officials, Finance, and the Chief information Officer?	X		
 <b>Compliance Indicator</b>	<b>The Human Resources Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC management directives. [see 29 CFR § 1614.102(b)(3)]</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
	Have time-tables or schedules been established for the agency to review its Merit Promotion Program Policy and Procedures for systemic barriers that may be impeding full participation in promotion opportunities by all groups?	X		
	Have time-tables or schedules been established for the agency to review its Employee Recognition Awards Program and Procedures for systemic barriers that may be impeding full participation in the program by all groups?	X		
	Have time-tables or schedules been established for the agency to review its Employee Development/Training Programs for systemic barriers that may be impeding full participation in training opportunities by all groups?	X		





 <b>Compliance Indicator</b>		Measure has been met		For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	
 <b>Measures</b>	<b>When findings of discrimination are made, the agency explores whether or not disciplinary actions should be taken.</b>			
	Does the agency have a disciplinary policy and/or a table of penalties that covers employees found to have committed discrimination?	X		
	Have all employees, supervisors, and managers been informed as to the penalties for being found to perpetrate discriminatory behavior or for taking personnel actions based upon a prohibited basis?	X		
	Has the agency, when appropriate, disciplined or sanctioned managers/supervisors or employees found to have discriminated over the past two years?	X		
If so, cite number found to have discriminated and list penalty /disciplinary action for each type of violation.  <i>There have been no findings of discrimination at NOAA during the preceding two years.</i>				
	Does the agency promptly (within the established time frame) comply with EEOC, Merit Systems Protection Board, Federal Labor Relations Authority, labor arbitrators, and District Court orders?	X		
	Does the agency review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.?	X		
<b>Essential Element D: PROACTIVE PREVENTION</b> <b>Requires that the agency head makes early efforts to prevent discriminatory actions and eliminate barriers to equal employment opportunity in the workplace.</b>				
 <b>Compliance Indicator</b>		Measure has been met		For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	
 <b>Measures</b>	<b>Analyses to identify and remove unnecessary barriers to employment are conducted throughout the year.</b>			
	Do senior managers meet with and assist the EEO Director and/or other EEO Program Officials in the identification of barriers that may be impeding the realization of equal employment opportunity?	X		
	When barriers are identified, do senior managers develop and implement, with the assistance of the agency EEO office, agency EEO Action Plans to	X		





eliminate said barriers?				
Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans?		X		
Are trend analyses of workforce profiles conducted by race, national origin, sex and disability?		X		
Are trend analyses of the workforce's major occupations conducted by race, national origin, sex and disability?		X		
Are trends analyses of the workforce's grade level distribution conducted by race, national origin, sex and disability?		X		
Are trend analyses of the workforce's compensation and reward system conducted by race, national origin, sex and disability?		X		
Are trend analyses of the effects of management/personnel policies, procedures and practices conducted by race, national origin, sex and disability?		X		
<b>Compliance Indicator</b>	<b>The use of Alternative Dispute Resolution (ADR) is encouraged by senior management.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
<b>Measures</b>		<b>Yes</b>	<b>No</b>	
Are all employees encouraged to use ADR?		X		
Is the participation of supervisors and managers in the ADR process required?			X	DOC ADR policy, as vetted through employee unions, requires that ADR be voluntary for all parties.  <u>See</u> Part H Plan #6 <b>CARRYOVER</b>



**Essential Element E: EFFICIENCY**

**Requires that the agency head ensure that there are effective systems in place for evaluating the impact and effectiveness of the agency's EEO Programs as well as an efficient and fair dispute resolution process.**

 <b>Compliance Indicator</b>	<b>The agency has sufficient staffing, funding, and authority to achieve the elimination of identified barriers.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
	Does the EEO Office employ personnel with adequate training and experience to conduct the analyses required by MD-715 and these instructions?	<b>X</b>		
	Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715 and these instructions?	<b>X</b>		
	Have sufficient resources been provided to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination under Title VII and the Rehabilitation Act?	<b>X</b>		
	Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations in all major components of the agency?	<b>X</b>		
	Are 90% of accommodation requests processed within the time frame set forth in the agency procedures for reasonable accommodation?	<b>X</b>		
 <b>Compliance Indicator</b>	<b>The agency has an effective complaint tracking and monitoring system in place to increase the effectiveness of the agency's EEO Programs.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
	Does the agency use a complaint tracking and monitoring system that allows identification of the location, and status of complaints and length of time elapsed at each stage of the agency's complaint resolution process?	<b>X</b>		
	Does the agency's tracking system identify the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends?	<b>X</b>		

Does the agency hold contractors accountable for delay in counseling and investigation processing times?		X		
If yes, briefly describe how: <i>Contract Investigators are not paid until cases are completed.</i>				
Does the agency monitor and ensure that new investigators, counselors, including contract and collateral duty investigators, receive the 32 hours of training required in accordance with EEO Management Directive MD-110?		X		
Does the agency monitor and ensure that experienced counselors, investigators, including contract and collateral duty investigators, receive the 8 hours of refresher training required on an annual basis in accordance with EEO Management Directive MD-110?		X		
 <b>Compliance Indicator</b>	<b>The agency has sufficient staffing, funding and authority to comply with the time frames in accordance with the EEOC (29 C.F.R. Part 1614) regulations for processing EEO complaints of employment discrimination.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
Are benchmarks in place that compare the agency's discrimination complaint processes with 29 C.F.R. Part 1614?		X		
Does the agency provide timely EEO counseling within 30 days of the initial request or within an agreed upon extension in writing, up to 60 days?		X		
Does the agency provide an aggrieved person with written notification of his/her rights and responsibilities in the EEO process in a timely fashion?		X		
Does the agency complete the investigations within the applicable prescribed time frame?		X		Under DOC purview. <u>See</u> DOC MD 715 Report.
When a complainant requests a final agency decision, does the agency issue the decision within 60 days of the request?		X		Under DOC purview. <u>See</u> DOC MD 715 Report.
When a complainant requests a hearing, does the agency immediately upon receipt of the request from the EEOC AJ forward the investigative file to the EEOC Hearing Office?		X		
When a settlement agreement is entered into, does the agency timely complete any obligations provided for in such agreements?		X		
Does the agency ensure timely compliance with EEOC AJ decisions which are not the subject of an appeal by the agency?		X		



→ Compliance Indicator	There is an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of the agency's EEO complaint processing program.	Measure has been met		For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
↓ Measures		Yes	No	
	In accordance with 29 C.F.R. §1614.102(b), has the agency established an ADR Program during the pre-complaint and formal complaint stages of the EEO process?	X		
	Does the agency require all managers and supervisors to receive ADR training in accordance with EEOC (29 C.F.R. Part 1614) regulations, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR?	X		
	After the agency has offered ADR and the complainant has elected to participate in ADR, are the managers required to participate?		X	DOC ADR policy, as vetted through employee unions, requires that ADR be voluntary for all parties.  <u>See</u> Part H Plan #6. <b>CARRYOVER</b>
	Does the responsible management official directly involved in the dispute have settlement authority?	X		
→ Compliance Indicator	The agency has effective systems in place for maintaining and evaluating the impact and effectiveness of its EEO programs.	Measure has been met		For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
↓ Measures		Yes	No	
	Does the agency have a system of management controls in place to ensure the timely, accurate, complete and consistent reporting of EEO complaint data to the EEOC?	X		
	Does the agency provide reasonable resources for the EEO complaint process to ensure efficient and successful operation in accordance with 29 C.F.R. § 1614.102(a)(1)?	X		
	Does the agency EEO office have management controls in place to	X		

monitor and ensure that the data received from Human Resources is accurate, timely received, and contains all the required data elements for submitting annual reports to the EEOC?				
Do the agency's EEO programs address all of the laws enforced by the EEOC?		X		
Does the agency identify and monitor significant trends in complaint processing to determine whether the agency is meeting its obligations under Title VII and the Rehabilitation Act?		X		
Does the agency track recruitment efforts and analyze efforts to identify potential barriers in accordance with MD-715 standards?		X		
Does the agency consult with other agencies of similar size on the effectiveness of their EEO programs to identify best practices and share ideas?		X		
 <b>Compliance Indicator</b>	<b>The agency ensures that the investigation and adjudication function of its complaint resolution process are separate from its legal defense arm of agency or other offices with conflicting or competing interests.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		Yes	No	
Are legal sufficiency reviews of EEO matters handled by a functional unit that is separate and apart from the unit which handles agency representation in EEO complaints?		X		
Does the agency discrimination complaint process ensure a neutral adjudication function?		X		
If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints?		X		This is managed by the DOC General Counsel.

**Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE**

This element requires that federal agencies are in full compliance with EEO statutes and EEOC regulations, policy guidance, and other written instructions.

<p>➔ Compliance Indicator</p>	<p>Agency personnel are accountable for timely compliance with orders issued by EEOC Administrative Judges.</p>	<p>Measure has been met</p>		<p>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</p>
<p>⬇ Measures</p>		<p>Yes</p>	<p>No</p>	
<p>Does the agency have a system of management control to ensure that agency officials timely comply with any orders or directives issued by EEOC Administrative Judges?</p>		<p>X</p>		
<p>➔ Compliance Indicator</p>	<p>The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion.</p>	<p>Measure has been met</p>		<p>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</p>
<p>⬇ Measures</p>		<p>Yes</p>	<p>No</p>	
<p>Does the agency have control over the payroll processing function of the agency? If Yes, answer the two questions below.</p>		<p>X</p>		<p><i>Note: this is partially under NOAA control and partially under the control of the National Finance Center.</i>  <u>See</u> Part H Plan #10. <b>CLOSED ENHANCEMENT</b></p>
<p>Are there steps in place to guarantee responsive, timely, and predictable processing of ordered monetary relief?</p>		<p>X</p>		
<p>Are procedures in place to promptly process other forms of ordered relief?</p>		<p>X</p>		

 <b>Compliance Indicator</b>	<b>Agency personnel are accountable for the timely completion of actions required to comply with orders of EEOC.</b>	<b>Measure has been met</b>		<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		<b>Yes</b>	<b>No</b>	
Is compliance with EEOC orders encompassed in the performance standards of any agency employees?	<b>X</b>		In the EEO Officer's performance plan.	
If so, please identify the employees by title in the comments section, and state how performance is measured.				
Is the unit charged with the responsibility for compliance with EEOC orders located in the EEO office?	<b>X</b>			
If not, please identify the unit in which it is located, the number of employees in the unit, and their grade levels in the comments section.				
Have the involved employees received any formal training in EEO compliance?	<b>X</b>			
Does the agency promptly provide to the EEOC the following documentation for completing compliance:	<b>X</b>			
Attorney Fees: Copy of check issued for attorney fees and /or a narrative statement by an appropriate agency official, or agency payment order dating the dollar amount of attorney fees paid?	<b>X</b>			
Awards: A narrative statement by an appropriate agency official stating the dollar amount and the criteria used to calculate the award?	<b>X</b>			
Back Pay and Interest: Computer print-outs or payroll documents outlining gross back pay and interest, copy of any checks issued, narrative statement by an appropriate agency official of total monies paid?	<b>X</b>			
Compensatory Damages: The final agency decision and evidence of payment, if made?	<b>X</b>			
Training: Attendance roster at training session(s) or a narrative statement by an appropriate agency official confirming that specific persons or groups of persons attended training on a date certain?	<b>X</b>			
Personnel Actions (e.g., Reinstatement, Promotion, Hiring, Reassignment): Copies of SF-50s	<b>X</b>			
Posting of Notice of Violation: Original signed and dated notice	<b>X</b>			

reflecting the dates that the notice was posted. A copy of the notice will suffice if the original is not available.			
Supplemental Investigation: 1. Copy of letter to complainant acknowledging receipt from EEOC of remanded case. 2. Copy of letter to complainant transmitting the Report of Investigation (not the ROI itself unless specified). 3. Copy of request for a hearing (complainant's request or agency's transmittal letter).	X		
Final Agency Decision (FAD): FAD or copy of the complainant's request for a hearing.	X		
Restoration of Leave: Print-out or statement identifying the amount of leave restored, if applicable. If not, an explanation or statement.	X		
Civil Actions: A complete copy of the civil action complaint demonstrating same issues raised as in compliance matter.	X		
Settlement Agreements: Signed and dated agreement with specific dollar amounts, if applicable. Also, appropriate documentation of relief is provided.	X		

Footnotes:

1. See 29 C.F.R. § 1614.102.
2. When an agency makes modifications to its procedures, the procedures must be resubmitted to the Commission. See *EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation* (10/20/00), Question 28.



**EEOC FORM  
715-01 PART H**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
**EEO Plan To Attain the Essential Elements of a Model EEO Program**

<b>FY 2010 – PART H PLAN #1 – CLOSED</b>	
<b>Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION</b>	
<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	Is the EEO Director under the direct supervision of the agency head? For subordinate level reporting components, is the EEO Director/Officer under the immediate supervision of the lower level component's head official? (For example, does the Regional EEO Officer report to the Regional Administrator?)
<b>OBJECTIVE:</b>	To strengthen and promote the NOAA Civil Rights Office (CRO) as required under EEOC regulations while remaining within the current reporting structure. The CRO will fully participate in the agency's governance bodies, including the Human Capital Committee (HCC), the NOAA Executive Panel (NEP) and NOAA Executive Committee (NEC).
<b>RESPONSIBLE OFFICIAL:</b>	Director, NOAA CRO Chief Administrative Officer
<b>DATE OBJECTIVE INITIATED:</b>	December 12, 2008
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	August 30, 2010
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>
1) The CRO Director will present the State of the Agency briefing to the Human Capital Council.	March 31, 2009 – <u>Completed</u>
2) The CRO Director will provide an MD 715 Briefing and present EEO Action Plans to the NEP and NEC.	June 30, 2009 – <u>Completed</u>
3) The CRO Director will fully brief the Administrator, or his/her designee (for example, the Deputy Under Secretary for Oceans and Atmosphere) on the agency's progress under MD 715.	August 30, 2009 – <u>Completed</u>
4) The Director, CRO, will meet with the Deputy Under Secretary on a recurring basis and will minimally provide one briefing during the fiscal year on the progress of the agency's efforts to achieve a model EEO agency.	August 30, 2010 <u>Completed</u>

## **REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

### **FY 2009**

During FY 2009, the Director of the NOAA Civil Rights Office regularly participated in the Human Capital Council Meetings, as well as other high-level meetings, including the Commerce Alternative Personnel System Meetings. In addition, in May 2010, the Director met and briefed the Deputy Under Secretary (DUS) for Oceans and Atmosphere on the State of EEO at NOAA, and then briefed the NOAA Executive Panel (NEP). The DUS has expressed support of, and interest in, the Agency's EEO Program, and has requested more frequent briefings. In addition, during FY 2009, the OCAO remained very supportive of the Director, CRO, and was responsive to budget requests and the need to hire additional personnel within the CRO.

During FY 2010, the Director requested to be included in additional high-level meetings, as appropriate and necessary.

### **FY 2010**

**Plan Completed**

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**FY 2010 - PART H PLAN #2 – CARRYOVER**

**Name of Agency of Reporting Component:** National Oceanic And Atmospheric Administration (NOAA)

<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	Are trend analyses of the effects of management/personnel policies, procedures and practices conducted by race, national origin, sex and disability?
<b>OBJECTIVE:</b>	Conduct trend analyses of the effects of management/personnel policies, procedures and practices by ethnicity, race, sex and disability.
<b>RESPONSIBLE OFFICIAL:</b>	Director, Workforce Management Office Director, Civil Rights Office EEO Program Managers
<b>DATE OBJECTIVE INITIATED:</b>	October 1, 2008
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	December 31, 2011 (Previously December 31, 2010)
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>
1) <b>NEW activity:</b> Analyze Annual Employee Survey responses utilizing demographic data (including ethnicity, race, sex and disability) to identify potential trends.	February 28, 2011 (Previously February 28, 2010)
2) <b>NEW activity:</b> Identify personnel policies, procedures and practices associated with potential trends.	March 31, 2011 (Previously March 31, 2010)
3) Convene a cross organizational workgroup to identify management/personnel policies, procedures and practices that should be the subject of trend analysis, i.e., disciplinary actions, grievances, etc. <b>NEW activity:</b> Use findings from workforce data study as additional information.	April 30, 2011 (Previously April 30, 2010)
4) Prioritize identified policies, priorities and procedures to be analyzed and present to agency leadership.	May 31, 2011 (Previously May 31, 2010)
5) Identify parties to perform trend analysis and parties that will provide relevant data.	June 30, 2011 (Previously June 30, 2010)
6) Perform initial trend analysis and present findings. Note: Trend analysis of management/personnel policies will be performed every other year after this initial occurrence.	December 31, 2011 (Previously December 31, 2010)

## **REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

### **FY 2009**

Three new activities were added to leverage newly available and planned datasets to include Annual Employee Survey data collected over the last three fiscal years as required by Title 5 CFR Part 250. First quarter FY2010 survey administration has included additional demographic questions to allow further analysis of employee satisfaction with personal work experiences; recruitment, development, and retention; performance culture; leadership; and job satisfaction. The results of the workforce data study (barrier/root cause analysis) to be completed in February 2010 will also be utilized.

Ethnicity, race, sex and disability data points have now been added to National Finance Center database, as of December 2009, which allow trend analysis to be feasible.

### **FY 2010**

With the unanticipated change in the leadership of the Civil Rights Office, this plan was not addressed. It will be pursued during FY 2011.

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<b>FY 2010 - PART H PLAN #3 – Closed</b>	
<b>Name of Agency of Reporting Component:</b> National Oceanic And Atmospheric Administration (NOAA)	
<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715
<b>OBJECTIVE:</b>	Enhance the current data collect and analysis systems that permit the tracking of information required by MD-715.
<b>RESPONSIBLE OFFICIAL:</b>	Director, CRO Director, WFMO Chief Administrative Officer
<b>DATE OBJECTIVE INITIATED:</b>	October 1, 2008
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	September 30, 2010 (Revised from previous date of September 30, 2009)
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>
1) The Civil Rights Office and the Workforce Management Office's liaison to the National Finance Center (NFC) will meet to determine if the data and ad hoc reports provided through NFC can be modified to meet MD 715 reporting requirements and to provide additional ad hoc reports that are currently unavailable. They will also explore the possibility of allowing Line Office (LO) EEO Program Managers direct access to NFC data.	January 15, 2009 – <u>Completed</u>
2) Notify LO EEO Program Managers of limitations around NFC data and advise them of what data and ad hoc reports are available.	January 15, 2009 - <u>Completed</u>
3) Request that the Department of Commerce (DOC), Office of Civil Rights (OCR) provide MD 715 data tables to each NOAA Line Office.	February 15, 2009 – <u>Completed</u>
4) Meet with DOC OCR to determine feasibility of identifying and implementing a Department wide database that has both MD 715 and ad hoc reporting capabilities.	June 30, 2010 (Revised from February 15, 2009) June 30, 2010- <u>Completed</u>

<p>5) In collaboration with WFMO and DOC, develop a user-friendly interface to the NFC database, which supports users' ability to run data reports that meet the CRO and Line Office MD 715 reporting requirements. This solution should both provide MD 715 data tables to the CRO and Line Offices, and should have ad hoc capabilities. It should also be accessible to each Line Office EEO Program Manager.</p>	<p>September 30, 2010 (Revised from June 30, 2009)- <u>Completed</u></p>
<p>6) Synchronize the way the MD 715 data tables for NOAA and the Line/Staff Offices are created through the Management Automated Reporting System with the way DOC Office of Civil Rights and the DOC Office of Human Resources Management create the MD 715 Data Tables that are provided to the DOC Bureaus.</p>	<p>April 30, 2010-<u>Completed</u></p>
<p>7) Ensure that each Line/Staff Office (SO) have direct access to NFC through the Management Automated Reporting System and can pull MD 715 Data Tables and ad hoc reports.</p>	<p>September 30, 2010- <u>Completed</u></p>
<p>8) The CRO and WFMO will partner to establish a platform available to all NOAA employees that enables them to update and/or verify their ethnicity, race, sex and/or disability information.</p>	<p>September 30, 2010 <u>Completed</u></p>

**FY 2009**

During the first half of FY 2009, the NOAA Civil Rights Office IT Specialist, with assistance from the WFMO IT Group, gained access to the MARS database, which allowed the CRO to run ad hoc reports and to manipulate them. (The previous reports pulled directly from NFC could not be manipulated and were difficult to read.)

In June 2009, the Director submitted a request to the Department of Commerce Office of Civil Rights (DOC OCR) to prepare MD 715 Data Tables for each of the bureau's Line Offices, several of which have 1000 or more employees. In July 2009, DOC OCR informed the Director, CRO, that they could not prepare the data tables for the Line Offices, and they suggested that the CRO work with the WFMO to produce them.

In July and August 2009, the CRO collaborated with WFMO's IT group and requested that NFC produce the MD 715 Data Tables, both at the Corporate NOAA Level, and at the Line Office level. NFC processed NOAA's request, and in October and November 2009, the CRO IT Specialist could directly pull MD 715 Data Tables for each Line and/or Staff Office.

Although the CRO can now produce the MD 715 Data Tables at the NOAA level and Line Office level, as well as run ad hoc reports, each Line Office EEO Program Office needs to be able to directly access this data, rather than go through the CRO. Therefore, during FY 2010 the CRO and WFMO will partner with each LO/SO to ensure that they are able have direct access to MARS for MD 715 data and ad hoc queries for their LO/SO.

**FY 2010**

**Plan Completed**

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**FY 2010 – PART H PLAN #4-CARRYOVER**

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	Are 90% of accommodation requests processed within the time frames set forth in the agency procedures for reasonable accommodation?	
<b>OBJECTIVE:</b>	Develop a database and procedure for tracking the processing time on request for reasonable accommodations.	
<b>RESPONSIBLE OFFICIAL:</b>	Director, Civil Rights Office Director, Workforce Management Office Line/Staff Office EEO Program Managers	
<b>DATE OBJECTIVE INITIATED:</b>	December 11, 2008	
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	September 30, 2011 (Revised from September 30, 2010)	
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>	
1) Schedule meeting between CRO, WFMO and Line Office EEO Program Mangers to discuss tracking requests for accommodation.	January 15, 2009- <u>Completed</u>	
2) Identify reasonable accommodation coordinator.	April 30, 2009 – <u>Completed</u>	
3) Develop data fields needed to effectively track processing time frame for reasonable accommodation.	May 30, 2009- <u>Completed</u>	
4) Implement tracking system procedure.	June 30, 2009- <u>Completed</u>	
5) Review, analyze, and assess the data collected from the tracking system to determine compliance with procedural timeframes and to make adjustments as necessary.	September 30, 2011 (Previously September 30, 2010)	

## **REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

### **FY 2009**

A small working group of subject matter experts was convened on multiple occasions during FY 2009 to provide recommendations to NOAA leadership regarding the appropriate roles and responsibilities of the reasonable accommodation coordinator function within NOAA.

This working group included the Disability Program Manager, the Workforce Management Office's Employee Relations Officer and two Line Office EEO Program Managers. Outcomes of this working group included the following:

1. One Reasonable Accommodation Coordinator (RAC) point of contact shall be established for each Line Office—within the EEO program offices. These Line Offices RACs will act as case managers for accommodation requests, including "intake and triage" of the accommodation request, managing the timeline, providing referrals to the Computer Animation Production System and the Job Accommodation Network, and uploading the tracking information into the database (from form CD 575).
2. CRO will provide some additional oversight and coordination roles, including: maintaining the tracking system, conducting trend analysis on the data, and providing reports to NOAA leadership, the Departmental Office of Civil Rights, and the Equal Employment Opportunity Commission.
3. The CRO Disability Program Manager and the WFMO Employee Relations Officer will work in partnership to provide consistency across the agency by providing tools and education to the LO RACs, managers, and employees.

NOAA is waiting to hear from the Department of Commerce Office of Civil Rights on an automated tracking system to be implemented Department-wide. In the interim, data from form CD 575 is being collected and maintained by the Line Office RACs. A reporting template has been established by the Department, with the first due date in mid-February 2010.

### **FY 2010**

The working group's efforts were very effective. In FY 2010, the Workforce Management Office hired a new Reasonable Accommodation Coordinator. All requests are now handled by the coordinator. The Department of Commerce has not implemented a new department-wide tracking system. Beginning in FY 2011, requests for accommodations at NOAA will be reviewed, analyzed, and assessed using an internal tracking system to track compliance with procedural timeframes and to make adjustments as necessary.



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**FY 2010 - PART H PLAN #5-CARRYOVER**

**Name of Agency of Reporting Component:** National Oceanic And Atmospheric Administration (NOAA)

<p><b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b></p>	<p>Does the agency use a complaint tracking and monitoring system that allows identification of the location and status of complaints and length of time elapsed at each stage of the agency's complaint resolution process?</p> <p>Does the agency's tracking system identify the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends?</p>	
<p><b>OBJECTIVE:</b></p>	<p>Enhance NOAA's complaint tracking and monitoring system to identify more effectively the status of complaints and length of time elapsed at each stage of the agency's complaint resolution process.</p> <p>Enhance NOAA's tracking system in order to identify more effectively the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends.</p>	
<p><b>RESPONSIBLE OFFICIAL:</b></p>	<p>Director, CRO Chief Administrative Officer</p>	
<p><b>DATE OBJECTIVE INITIATED:</b></p>	<p>October 1, 2008</p>	
<p><b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b></p>	<p>September 30, 2011 (Revised from September 30, 2010)</p>	
<p><b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b></p>	<p><b>TARGET DATE (Must be specific)</b></p>	
<p>1) Meet with Department of Commerce Office of Civil Rights to determine status of implementation of Department-wide complaints tracking system.</p>	<p>March 31, 2009 –<u>Completed</u></p>	
<p>2) Work the financing to support NOAA CRO user fees and site licenses into the CRO budget.</p>	<p>May 31, 2011 (Revised from May 31, 2010)</p>	
<p>3) Training the NOAA CRO Staff on a new off-the-shelf tracking system.</p>	<p>September 30, 2011 (Revised from September 30, 2010)</p>	
<p>4) Explore the feasibility of granting EEO Program Managers limited access to off the shelf complaints tracking system.</p>	<p>September 30, 2011 (Revised from September 30, 2010)</p>	
<p>5) Roll out the off the shelf complaints tracking system</p>	<p>September 30, 2011 (Revised</p>	

**REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE****FY 2009**

In November 2008, upon learning the lack of viability of the existing complaint tracking systems, the Director, CRO implemented an informal, manual complaint tracking system. Between this manual system and the reports generated by the Department of Commerce OCR, CRO Staff are able to adequately track EEO Complaint information, informally and formally. However, this is considered a temporary "stop-gap" measure.

In December 2008, and January 2009, the Director, CRO met with DOC OCR and discussed the possibility of procuring an off the shelf complaint tracking system. DOC OCR informed the Director, CRO that they were already moving forward on this issue and were in the process of collecting bids for such a system. DOC OCR advised that NOAA would have direct access to this system and would be given a sufficient number of licenses to accommodate the needs of the staff. DOC OCR anticipated that the Department-wide system would be rolled out sometime in fiscal year 2011.

Because of these developments, the Director, CRO decided to continue using the temporary stop-gap measures for tracking complaints until the new complaint tracking system is implemented. In addition, the Director is working the costs associated with supporting system user licenses and fees into the CRO annual budget. The CRO is also more closely scrutinizing the NOAA 462 Report for complaint trends and is taking steps to address or understand the trends that are identified through this report.

The planned activities in this Part H Plan have been changed to reflect DOC OCR's procurement of an off the shelf complaint tracking product and the steps necessary to implement it rather than focusing on upgrading the CRO current systems. (Furthermore, if the CRO were to upgrade its complaint tracking systems, there would be a significant amount of complaint data that would have to be entered into these systems for it to be accurate. The CRO does not have enough resources at this time to update the significant amount of complaint data in the system to make this feasible.)

**FY 2010**

The Department of Commerce Civil Rights Office, is awaiting approval to deploy a department wide tracking system. Once a new system is approved, the Civil Rights Office will receive the necessary training to use the new system and will use it to track the processing of the agency's cases and to identify any trends.

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**FY 2010 – PART H PLAN # 6-CARRYOVER ENHANCEMENT**

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<p><b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b></p>	<p>Are all employees encouraged to use ADR?</p> <p>Is the participation of supervisors and managers in the ADR process required?</p> <p>Does the agency require all managers and supervisors to receive ADR training in accordance with EEOC (29 C.F.R. Part 1614) regulations, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR?</p> <p>After the agency has offered ADR and the complainant has elected to participate in ADR, are the managers required to participate?</p>
<p><b>OBJECTIVE:</b></p>	<p>Increase the participation rate in the NOAA ADR program to meet the EEOC's participation rate goal of 50%.</p> <p>Ensure that managers and supervisors receive required ADR training.</p>
<p><b>RESPONSIBLE OFFICIAL:</b></p>	<p>Director, Civil Rights Office Director, Workforce Management Office Line Office EEO Program Managers</p>
<p><b>DATE OBJECTIVE INITIATED:</b></p>	<p>December 11, 2008</p>
<p><b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b></p>	<p>September 30, 2011 (Revised from September 30, 2010)</p>
<p><b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b></p>	<p><b>TARGET DATE (Must be specific)</b></p>
<p>1) Schedule meeting between CRO, WFM and Line Office EEO Program Mangers to discuss NOAA-wide training requirements and ADR marketing plan.</p>	<p>January 30, 2009 - <u>Completed</u></p>
<p>2) Investigate reasons for current low ADR participation rate.</p>	<p>June 30, 2011 (Revised from June 30, 2010)</p>
<p>3) Develop NOAA-wide ADR marketing approach.</p>	<p>July 31, 2009 - <u>Completed</u></p>
<p>4) Implement ADR marketing approach across NOAA.</p>	<p>September 30, 2009 - <u>Completed</u></p>

5) Coordinate communication from NOAA Administrator to all employees encouraging use of ADR to resolve conflicts and disputes.	February 28, 2010-Completed
6) Develop and Approve training content for ADR components of supervisory training series.	May 31, 2011 (Revised from April 30, 2010)
7) Develop recurring schedule for conducting supervisory training to include ADR as a topic for managers and supervisors.	July 31, 2011 (Revised from May 15, 2010)
8) Incorporate ADR resources information into the development of new employee "Onboarding" materials.	September 30, 2010 <u>Completed</u>
9) Investigate the low participation rates of employees in ADR during the informal stage of the EEO Complaint Process.	September 30, 2011 (Revised from September 30, 2010)

## REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE

### FY 2009

The activities were modified to incorporate the expanded marketing approach.

NOAA's Alternative Dispute Resolution (ADR) program is available to all NOAA employees and information about the program is marketed several ways:

- <http://www.adr.noaa.gov> website;
- ADR Video on the above website;
- Memo from the NOAA Administrator to all NOAA employees dated August 25, 2009;
- NOAA Administrative Order 202-715;
- New Employee Orientation; and
- Through various training modules and information packages.

During FY 2009, the NOAA Administrative Order was updated and is awaiting signature by the NOAA Deputy Under Secretary for Operations. All new supervisors were given information on the ADR Program and the process as part of the EEO Training Module portion of the NOAA Leadership Training Program conducted quarterly. An email statement was sent to all employees from the NOAA Administrator referencing ADR as an alternative to resolving conflict. ADR was also included as a required topic in the curriculum for a new supervisory e-learning training series under development titled, "Everything You Ever Wanted to Know About Being a Supervisor at NOAA."

### FY 2010

The ADR participation rate improved but still remains low. Due to other competing priorities, a study into low employee participation rate in ADR through the EEO complaint process was not initiated. However, the Civil Rights Office and the WFMO have agreed to partner and conduct a study to investigate the reasons for the low participation rate during FY 2011.

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**FY 2010 – PART H PLAN # 7-CARRYOVER**

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	Does the agency track recruitment efforts and analyze efforts to identify potential barriers in accordance with MD-715 standards?	
<b>OBJECTIVE:</b>	Track and analyze recruitment efforts to identify potential barriers in accordance with MD 715 standards.	
<b>RESPONSIBLE OFFICIAL:</b>	Director, Civil Rights Office Director, Workforce Management Office Line Office EEO Program Managers	
<b>DATE OBJECTIVE INITIATED:</b>	September 27, 2007	
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	September 30, 2011 (Revised from September 20, 2010)	
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>	
1) Develop implement targeted recruitment plan and strategies to increase participation rates of Hispanics and People with Targeted Disabilities.	March 31, 2009- <u>Completed</u>	
2) Implement targeted recruitment plan and strategies.	February, 2011 (Revised from June, 2010)	
3) Develop a Recruitment Events Calendar.	February 15, 2008 – <u>Completed</u>	
4) Develop Hiring Officials/Workforce Management Office Recruitment Checklist for use at the Strategic Conversation meeting.	February 15, 2008 – <u>Completed</u>	
5) Identify Line Office Recruitment Point of Contacts.	May 15, 2009 – <u>Completed</u>	
6) Develop a NOAA-wide method to track recruitment efforts.	September, 2011 (Revised from May, 2010)	

## **REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

### **FY 2009**

In FY 2009, the draft targeted recruitment plan, which had been initially developed in FY 2008, was modified to include feedback from the Director of the NOAA Civil Rights Office, and the NOAA Disability Employment Program Manager. The revised plan was provided to the WFMO and Line Office EEO Program Managers and will be reviewed by the Human Capital Council and implemented in FY 2010. Detailed recruitment strategies are identified in the plan and the plan's implementation will be monitored through the Human Capital Council.

In addition, in December 2008, NOAA implemented the NOAA Human Capital Accountability System Plan (HCASP) for FY 2008-2011 establishing measures and timetables for review of all five systems described in OPM's Human Capital Assessment and Accountability Framework: Strategic Alignment, Leadership and Knowledge Management, Results-Oriented Performance Culture, Talent Management, and Accountability.

HCASP provides a direct linkage with the MD-715 objective by ensuring measurement of recruitment efforts within the Talent Management system which will be reported annually in NOAA's Human Capital Management Report.

Further, of critical importance, during FY 2009, the Department of Commerce approved the tracking of applicant flow data. The NOAA WFMO and CRO are working with DOC Office of Human Resources Management and the Office of Civil Rights to secure this data and use it to help determine the impact of the bureau's efforts to recruit a broad, qualified and diverse group of applicants.

### **FY 2010**

A plan was written for the recruitment and retention of persons with disabilities, including persons with targeted disabilities and is in the final stages of approval. This plan was approved by the Human Capital Council and by the agency's Line Offices.

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**FY 2010 – PART H PLAN #8- Carryover**

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	If the agency has 2 <sup>nd</sup> level reporting components, does the agency-wide EEO Director have authority for the EEO programs within the subordinate reporting components?
<b>OBJECTIVE:</b>	Ensure that agency-wide EEO Director has oversight over Programs within subordinate components' EEO Programs.
<b>RESPONSIBLE OFFICIAL:</b>	Chief Administrative Officer Deputy Chief Administrative Officer Director, CRO
<b>DATE OBJECTIVE INITIATED:</b>	December, 2009
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	December, 2011 (revised from December, 2010)

<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>
1) Director CRO, Chief Administrative Officer (CAO) and Deputy CAO meet to discuss strategies for more clearly delineating the extent of the CRO's authority over the Line/Staff Office EEO Programs.	March 31, 2010- <u>Completed</u>
2) CRO Director and CAO meet to discuss strategies for more clearly delineating the extent of the CRO's authority over the Line/Staff Office EEO Programs.	April 30, 2011 – New activity
3) The CRO Director briefs Line/Staff Office EEO Program Managers for feedback and input on strategies.	May 31, 2011 (Revised from April 30, 2010)
4) CRO Director and CAO meet with the Director of the Department of Commerce, Office of Civil Rights for concurrence.	June 30, 2011 (Revised from May 31, 2010)
5) The CRO Director CAO present strategies to the Human Capital Council for review and approval.	July 31, 2011 (Revised from May 31, 2010)
6) The CRO and CAO implement approved strategies, including making changes to all relevant NOAA Administrative Orders.	September 30, 2011 (Revised from September 30, 2010)

## REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE

### **FY 2009**

As this is a new Part H Plan, there are no accomplishments to report.

### **FY 2010**

Due to change in the CRO leadership limited action was taken with regard to this plan. Because the Line offices and staffs are paid by other agency entities, the CRO Director will need to seek "oversight" vice "authority" over those subordinate offices, a change that will be significant.



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**FY 2010 – PART H PLAN #9- FY 2011-CARRYOVER**

The Department of Commerce Civil Rights Office, is awaiting approval of a department-wide tracking system. Once it is approved the Civil Rights Office will implement and be in compliance.

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	Does the EEO Director have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity?	
<b>OBJECTIVE:</b>	Provide the EEO Director the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity	
<b>RESPONSIBLE OFFICIAL:</b>	Chief Administrative Officer Deputy Chief Administrative Officer Director, CRO	
<b>DATE OBJECTIVE INITIATED:</b>	December, 2009	
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	September 30, 2011 (revised from September 30, 2010)	
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>	
1) Establish CRO oversight over Line/Staff Office EEO Programs. (Please see planned activities in Part H Plan 8.)	September 30 2011 (Revised from September 30, 2010)	
2) Identify and Fully Utilize all non-budget options available Director, CRO, to ensure that EEO Action Plans are implemented and barriers are identified. (Present to the Deputy Under Secretary, and the governance structure.)	April 30, 2011 (Revised from April 30, 2010)	
3) Complete a CRO budget needs assessment and present to Chief Administrative Officer, Deputy Administrative Officer	April 30, 2011 (Revised from April 30, 2010)	

4) Realign/Reprogram CRO Budget to reflect the full needs and scope of the program.

September 30, 2011 (Revised from September 30, 2010)

**REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

**Background:**

The CRO Director's authority to implement EEO Action Plans and remove barriers to equal employment is currently limited because of the lack of the Director's oversight over Line/Staff Office EEO Programs, current CRO staffing levels, and gaps in the CRO budget.

**FY 2009**

As this is a new Part H Plan, there are no accomplishments to report.

**FY 2010**

Because of an unanticipated change in the CRO leadership limited action was taken on this plan. This plan will be pursued in FY 2011.

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**FY 2010 – PART H PLAN #10- CARRY-OVER**

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<p><b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b></p>	<p>Are sufficient personnel resources allocated to the EEO Program to ensure that agency self-assessments and self-analyses prescribed by EEO MD-715 are conducted annually and to maintain an effective complaint processing system?</p> <p>Are statutory/regulatory EEO related Special Emphasis Programs sufficiently staffed? Including the:</p> <p>Hispanic Employment Program, as required under - Title 5 CFR, Subpart B, 720.204?</p>	
<p><b>OBJECTIVE:</b></p>	<p>Ensure that sufficient personnel resources that are allocated to the EEO Program so that agency self-assessments prescribed by EEO MD 715 are conducted annually and maintain an effective complaint processing system.</p> <p>Ensure that regulator required Special Emphasis Programs are sufficiently staff, including the Hispanic Employment Program.</p>	
<p><b>RESPONSIBLE OFFICIAL:</b></p>	<p>Chief Administrative Officer Deputy Chief Administrative Officer Director, CRO</p>	
<p><b>DATE OBJECTIVE INITIATED:</b></p>	<p>December, 2009</p>	
<p><b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b></p>	<p>December, 2011 (revised from December, 2010)</p>	
<p><b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b></p>	<p><b>TARGET DATE (Must be specific)</b></p>	
<p>1) Complete a CRO budget and staffing needs/gap assessment, based on agency size and scope of responsibility, and present to Chief Administrative Officer, Deputy Administrative Officer (Same planned activity as in Part H Plan 9.)</p>	<p>April 30, 2011 (Revised from April 30, 2010)</p>	

2) Identify and utilize resources that do not affect the CRO budget, including the NOAA Rotational Assignment Program (Detail); leveraging partnerships with other entities, including WFMO, other Corporate Offices, and the Line/Staff Offices.	April 30, 2011 (Revised from April 30, 2010)
3) In conjunction with the implementation of a Targeted Recruitment Plan for Hispanics and People with Targeted Disabilities, identify agency personnel to fulfill the role of a full time Hispanic Employment Program Manager, either within the CRO or within WFMO.	June 30, 2011 (Revised from June 30, 2010)
4) Initiate an agency-wide Task Force Chaired by the NOAA CRO to explore and identify more efficient, consistent ways to manage monthly observances, which are part of the Special Emphasis Program management.	January 30, 2010- <u>Completed</u>
5) Present Task Force Findings and potential solutions to the Deputy Chief Administrative Officer, the Chief Administrative Officer, and possibly the Human Capital Council.	October 31, 2010- <u>Completed</u>
6) Implement Task Force solutions and make other budget/staffing adjustments to ensure that the Special Emphasis employment Programs are managed at the same level as the informal complaints program.	December 31, 2010- <u>Completed</u>

**REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

**FY 2009**

As this is a new Part H Plan, there are no accomplishments to report for this year.

**FY 2010**

A task force was formed and the group drafted a Special Emphasis Program Procedural Handbook. This handbook addressed and resolved activities numbers 4, 5, and 6.

**EEOC FORM  
715-01 PART H**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
**EEO Plan To Attain the Essential Elements of a Model EEO Program**

**FY 2010 – PART H PLAN #11-CARRYOVER**

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	<p>Is the EEO Program allocated sufficient resources to train all employees on EEO Programs, including administrative and judicial remedial procedures available to employees?</p> <p>Is there sufficient funding to provide all managers and supervisors with training and periodic up-dates on their EEO responsibilities?</p>	
<b>OBJECTIVE:</b>	<p>Ensure that sufficient resources are provided to the EEO Program so that EEO training is delivered to all employees, especially managers and supervisors.</p>	
<b>RESPONSIBLE OFFICIAL:</b>	<p>Chief Administrative Officer Chief Financial Officer Chief Information Officer Director, Office of Education General Counsel Director, WFMO Director, CRO</p>	
<b>DATE OBJECTIVE INITIATED:</b>	<p>December, 2009</p>	
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	<p>September 30, 2011</p>	
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>	
<p>1) The CRO Director will develop and propose draft strategies (and necessary resources), including identifying a potential Corporate Point of Contact for all Corporate Offices to deliver EEO services (including training), to the Chief Administrative Officer for consideration and feedback.</p>	<p>April 30, 2011 (Revised March 30, 2010)</p>	
<p>2) The Director, CRO will consult with the leadership of the Corporate entities who are currently not being provided EEO training services, and describe potential options and the necessary resources to provide such coverage.</p>	<p>June 30, 2011 (Revised May 31, 2010)</p>	

3) Implement the option that is selected by stakeholders and design plan for delivering EEO services to corporate managers and supervisors who have not received EEO training within the last two years.	August 30, 2011 (Revised July 31, 2010)
4) Monitor and adjust the servicing arrangement as necessary.	September 30, 2011 (Revised from September 30, 2010)

**REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

**Background:**

Currently EEO training responsibilities are primarily held by the Line/Staff Office EEO Program Offices. Line/Staff Offices EEO Program Managers provide training on a recurring basis to all their employees. As several Corporate Offices currently do not have an EEO Program Manager to serve as an EEO point of contact for their organization, managers/supervisors in several corporate offices are provide minimal, to little EEO training. While the Corporate CRO provides EEO related training on an as need/requested basis to sporadic groups of employees, it currently does not have the staff nor resources to deliver or monitor the EEO training of these corporate employees on a recurring basis.

**FY 2009**

As this is a new Part H Plan, there are no accomplishments to report for this year.

**FY 2010**

Because of an unanticipated change in the CRO leadership limited action was taken on this plan. This plan will be pursued in FY 2011.

**EEOC FORM  
715-01 PART H**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
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**FY 2010 – PART H PLAN #12 -CARRYOVER**

**Name of Agency of Reporting Component: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

<b>STATEMENT of MODEL PROGRAM ESSENTIAL ELEMENT DEFICIENCY:</b>	Have sufficient resources been provided to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination under Title VII and the Rehabilitation Act?	
<b>OBJECTIVE:</b>	Provide sufficient resources to the Corporate Civil Rights Office to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination.	
<b>RESPONSIBLE OFFICIAL:</b>	Chief Administrative Officer Director, CRO	
<b>DATE OBJECTIVE INITIATED:</b>	December, 2009	
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	September 30, 2011	
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE (Must be specific)</b>	
1) Develop proposal and cost estimate that supports CRO Staff to conduct site visit to various NOAA field facilities every three to five years.	April 30, 2011 (Revised from April 30, 2010)	
2) Present proposal to the Chief/Deputy Administrative Office for review and concurrence.	May 31, 2011 (Revised from May 31, 2010)	
3) If approved, work costs to support the initiative into the CRO budget formulation process.	September 30, 2011 (Revised from September 30, 2010)	
4) Brief Stakeholders (including the Line/Staff Office EEO Program Managers) on the purpose and outcomes of such audits performed by the CRO.	December 30, 2011 (Revised from December 30, 2010)	
5) Develop materials and audit plan(s).	March 31, 2012 (Revised from March 31, 2011)	
6) Conduct initial audit of a NOAA field facility.	June 30, 2012 (Revised from June 30, 2011)	

**REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE**

**FY 2009**

As this is a new Part H Plan, there are no accomplishments to report for this year.

**FY 2010**

Because of an unanticipated change in the CRO leadership, limited action was taken on this plan. This plan will be pursued in FY 2011.



**EEOC FORM  
715-01 PART I**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
**EEO Plan To Eliminate Identified Barrier**

**FY 2010: PART I PLAN #1 – CARRYOVER**

**Name of Agency of Reporting Component: National Oceanic and Atmospheric Administration**

**STATEMENT OF  
CONDITION THAT  
WAS A TRIGGER  
FOR A POTENTIAL  
BARRIER:**

Provide a brief narrative describing the condition at issue.  
How was the condition recognized as a potential barrier?

For FY 2007, Women, Hispanic females, Native Hawaiian or Other Pacific Islander females, American Indian or Alaska Native females, and individuals with disabilities have less participation at the GS-13 and above grade levels than their participation in the workforce.

For FY 2008, all women at the GS-13 and above grade levels have less participation at the GS-13 and above grade levels than their participation in the workforce. The percentage of males also decreased. Hispanic males, White males and Native Hawaiian or Other Pacific Islander males decreased.

Women at the GS-13 and above grade levels continue to have less participation than their participation in the workforce. White females increased but remain below their participation in the workforce. Asian males increased. Asian females increased but remain below their participation in the workforce.

**BARRIER ANALYSIS:**

Provide a description of the steps taken and data analyzed to determine cause of the condition.

As in the previous fiscal year, workforce statistics for grades GS-13 and above were reviewed and analyzed on a basic level. However, the triggers identified above require additional, refined analysis in order to initiate the investigation of the root cause.

During FY 2009 the Civil Rights Office initiated an in-depth analysis of around the low participation rates of women at higher grades (or equivalent). This analysis was not completed during FY 2010.

During FY 2009 the CRO also developed a barrier analysis methodology and launched a pilot study to “beta test” the methodology. During FY 2010 this methodology was not used. This methodology will be pursued during FY 2011.

In FY 2011, all “triggers” identified in this Part I Plan will be placed in a new participation rate inventory, which is included in the MD 715 Report. Once the analysis of the data relating to participation rates of women at higher grades is further refined, only one “trigger” will remain on this Part I Plan. This one trigger will be the subject of a barrier analysis using the methodology developed by the CRO in FY 2009.

**STATEMENT OF  
IDENTIFIED  
BARRIER:**

Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.

As a thorough barrier analysis has not been completed at this time, no barrier has been identified.

<p><b>OBJECTIVE:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p>	<p>This will be completed if/when a barrier is identified.</p>
<p><b>RESPONSIBLE OFFICIAL:</b></p>	<p>For Completion of barrier analysis relating to this Part I Plan: Director, NOAA CRO Director, WFMO LO EEO Program Managers</p> <p>For Removal of Barrier, if one is identified: To be determined.</p>
<p><b>DATE OBJECTIVE INITIATED:</b></p>	
<p><b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b></p>	
<p><b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b></p>	<p><b>TARGET DATE</b> (Must be specific)</p>
<p><b>REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE</b></p>	

**EEOC FORM  
715-01 PART I**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
**EEO Plan To Eliminate Identified Barrier**

**FY 2010: PART I PLAN #2 – CARRYOVER**

**Name of Agency of Reporting Component: National Oceanic and Atmospheric Administration**

<p><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?</p>	<p><b>Fishery Biologist</b></p> <p>Workforce analysis reflect that Hispanics of both sexes have substantially (over 50% less) lower participation rates in this occupation.</p> <p>All other triggers relating to low participation in the major occupations previously identified in this Part H Plan in FY 2008 can be reviewed in the A Table Workforce Analysis, found in Attachment 5. During FY 2010, the CRO will develop an inventory of all “triggers” relating to the major occupations. Therefore, only a single trigger (or a cluster of related triggers), subject to the barrier analysis will be identified on this Part I Plan from this point forward.</p>
<p><b>BARRIER ANALYSIS:</b> Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>In 2008 NOAA reported that during FY 2009 the Civil Rights Office would develop a barrier analysis plan and initiate a barrier analysis relating to at least one major occupation. In 2009 NOAA drafted a first of its kind methodology for NOAA to conduct MD715 required barrier analysis to investigate the ‘why’ behind EEO target group underrepresentation. The methodology enables NOAA to conduct this type of investigation for any target group.</p> <p>A thorough examination of agency policies, procedures and practices to determine the root cause(s) will be the result of applying this new analytical method. The methodology is being ‘beta tested’ on an EEO target group with low participation rates (Hispanic Fisheries Biologists). The barrier analysis was not completed in FY 2010. This methodology will be pursued in FY 2011.</p>
<p><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.</p>	<p>As a thorough barrier analysis has not been completed at this time, no barrier has been identified.</p>
<p><b>OBJECTIVE:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p>	<p>This will be completed if/when a barrier is identified.</p>

<b>RESPONSIBLE OFFICIAL:</b>	For Completion of barrier analysis relating to this Part I Plan: Director, NOAA CRO LO EEO Program Managers  For Removal of Barrier, if one is identified: To be determined.
<b>DATE OBJECTIVE INITIATED:</b>	
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE</b> <b>(Must be specific)</b>
<b>REPORT OF ACCOMPLISHMENTS and MODIFICATIONS TO OBJECTIVE</b>	

**EEOC FORM  
715-01 PART I**  
*U.S. Equal Employment Opportunity Commission*  
**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**  
**EEO Plan To Eliminate Identified Barrier**

**FY 2010: PART I PLAN #3 - CARRYOVER**

**Name of Agency of Reporting Component: National Oceanic and Atmospheric Administration**

**STATEMENT OF  
CONDITION THAT  
WAS A TRIGGER  
FOR A POTENTIAL  
BARRIER:**

Provide a brief narrative describing the condition at issue.  
How was the condition recognized as a potential barrier?

Employees with disabilities have lower than expected participation rates than their participation in the workforce as a whole.

At the end of 2008, the total NOAA workforce was made up of 13,623 employees. Employees with reportable disabilities represented 537 (3.9%). Employees with targeted disabilities represented 85 (0.6%). The net change in the overall NOAA workforce was an increase of 142 (1.1%). The net change in employees with reportable disabilities represented an increase 11 (2.1%). However, there was a net change of employees with targeted disabilities, which experienced a decrease of 12 (-12.4%).

This decrease occurred again in Fiscal Year 2009. At the end of Fiscal Year 2009, NOAA's workforce increased from 13,623 in Fiscal Year 2008 to 13,721 employees. However, during this same time period, the number of permanent employees with disabilities decreased by 4.

The participation rate of NOAA employees with targeted disabilities during FY 2009 was 0.6%, substantially below the two percent (2%) Federal Goal.

Employees with targeted disabilities are concentrated in lower grade (or equivalent) groupings and have lower than expected participation rates at higher grades (or equivalents).

**BARRIER ANALYSIS:**

Provide a description of the steps taken and data analyzed to determine cause of the condition.

**FY 2008**

During FY 2009 NOAA will develop a barrier analysis plan and initiate a barrier analysis relating to the employment of individuals with targeted disabilities. The analysis may relate to the recruitment, retention or development of phases of the employment cycle. The barrier analysis will be completed no later than the end of second quarter, 2010. A cross organizational team (comprised of a CRO staff, LO EEO Staff, WFMO and other appropriate parties from the NOAA Disability Community) will develop the barrier analysis plan and conduct the analysis.

**FY 2009**

During FY 2009 the CRO refined the workforce analyses relating to the employment of individuals with disabilities and further honed in on a second trigger to be the subject of a barrier analysis: low participation rates of employees with disabilities at the higher grade (or equivalents) groupings. However, the CRO did not complete a barrier analysis relating to declining overall participation rate trigger, nor the new trigger. As described in the preceding Part I Plans, the CRO did complete a barrier analysis methodology that will be utilized when conducting the barrier analyses of these two specific triggers during FY 2010 and the first quarter of FY 2011.

**FY 2011**

	<b>CARRYOVER FROM FY 2010</b>
<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.	As a thorough barrier analysis has not been completed at this time, no barrier has been identified.
<b>OBJECTIVE:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.	This will be completed if/when a barrier is identified.
<b>RESPONSIBLE OFFICIAL:</b>	For Completion of barrier analysis relating to this Part I Plan: Director, CRO Director, WFMO LO EEO Program Managers For Removal of Barrier, if one is identified: To be determined.
<b>DATE OBJECTIVE INITIATED:</b>	
<b>TARGET DATE FOR COMPLETION OF OBJECTIVE:</b>	
<b>PLANNED ACTIVITIES TOWARD COMPLETION OF OBJECTIVE:</b>	<b>TARGET DATE</b> <b>(Must be specific)</b>
<b>REPORT OF ACCOMPLISHMENTS AND MODIFICATIONS TO OBJECTIVE</b>	

**EEOC FORM  
715-01 PART J**

*U.S. Equal Employment Opportunity Commission*

**FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT**

**Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals with Targeted Disabilities**

<b>PART I Department or Agency Information</b>	1. Agency	1. Department of Commerce
	1.a. 2 <sup>nd</sup> Level Component	1.a. National Oceanic and Atmospheric Administration
	1.b. 3 <sup>rd</sup> Level or lower	1.b. n/a

<b>PART II Employment Trend and Special Recruitment for Individuals With Targeted Disabilities</b>	Enter Actual Number at the ...	... beginning of FY.		... end of FY.		Net Change	
		Number	%	Number	%	Number	Rate of Change
Total Work Force		13,721	100.00%	13,905	100.00%	184	1.3%
Reportable Disability		561	4.67%	588	4.2%	27	4.8%
Targeted Disability*		82	0.63%	86	0.6%	4	4.9%
* If the rate of change for persons with targeted disabilities is not equal to or greater than the rate of change for the total workforce, a barrier analysis should be conducted (see below).							
1. Total Number of Applications Received From Persons With Targeted Disabilities during the reporting period.							Data not available.
2. Total Number of Selections of Individuals with Targeted Disabilities during the reporting period.							7

**PART III Participation Rates In Agency Employment Programs**

Other Employment/Personnel Programs	TOTAL	Reportable Disability		Targeted Disability		Not Identified		No Disability	
		#	%	#	%	#	%	#	%
3. Competitive Promotions*									
4. Non-Competitive Promotions*									
5. Employee Career Development Programs									
5.a. Grades 5 - 12	13	1	0%	0	0%	0	0%	12	100%

5.b. Grades 13 - 14	5	0	0%	0	0%	0	0%	5	100%
5.c. Grade 15/SES	2	0	0%	0	0%	0	0%	2	100%
6. Employee Recognition and Awards									
6.a. Time-Off Awards (Total hrs awarded)	9,124	386	4.23%	56	0.61%	48	0.53%	8,634	94.63%
6.b. Cash Awards (total \$\$\$ awarded)	13,846,651	402,712	2.91%	42,513	0.31%	173,257	1.25%	13,228,168	95.53%
6.c. Quality-Step Increase	172	5	2.9%	0	0%	3	1.7%	164	95.3%

EEOC FORM 715-01 Part J	Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals With Targeted Disabilities								
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<p><b>Part IV</b></p> <p>Identifica- tion and Elimination of Barriers</p>	<p>Agencies with 1,000 or more permanent employees MUST conduct a barrier analysis to address any barriers to increasing employment opportunities for employees and applicants with targeted disabilities <b>using FORM 715-01 PART I</b>. Agencies should review their recruitment, hiring, career development, promotion, and retention of individuals with targeted disabilities in order to determine whether there are any barriers.</p> <p><b>*Note:</b> Information on competitive promotions and non-competitive promotions is not available at this time.</p> <p><b>Workforce Analysis:</b></p> <p>Although NOAA did select seven new permanent employees with targeted disabilities and three new temporary employees with targeted disabilities (Table B8), six permanent employees with targeted disabilities separated (Table B14) and one temporary employee with targeted disabilities separated (Table B14a)—a total of ten new employees with targeted disabilities and seven separations: netting zero. However, Table B1 shows a net loss of five permanent employees with targeted disabilities.</p> <p>Employees with targeted disabilities have higher than expected participation rates in the GS grades 4-9 (or equivalent). However, they have lower than expected participation rates at the GS 11-15 (or equivalent) levels. The participation rate for GS 11 equivalent employees with targeted disabilities is 5.1% as compared to 6.8% participation rate for the overall workforce. The participation rate for GS 12 equivalent employees with targeted disabilities is 21.5%, as compared to 29.0% participation rate for the overall workforce. The participation rate for GS 13 equivalent employees with targeted disabilities is 12.7% as compared to 14.4% participation rate for the overall workforce. GS 14 equivalent employees with targeted disabilities have a participation rate of 10.1%, while the overall workforce participation rate is 24.4%. Lastly, GS 15 equivalent employees with targeted disabilities have a participation rate of 0.0%, while the overall workforce participation rate is 7.4%. (For further analysis and an illustrative line graph, please refer to the B Tables Analysis Attachment 6.)</p> <p>There are zero (0) managers and officials (GS 15-SES) with targeted disabilities, and three mid-level (GS 13-14) managers and officials with targeted disabilities. The participation rate in the GS 15 and SES managers and officials for the total NOAA workforce is 1.5% as compared to zero for those with targeted disabilities.</p> <p>Employees with targeted disabilities were at parity or over parity for the following NOAA major occupations (only those occupational groups larger than 1% of the total NOAA workforce were considered): Management Analysts (0343), Oceanography (1360), and Computer Science (2210). However, the following occupational groups had lower than expected participation rates in the category of people with</p>
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targeted disabilities: Miscellaneous Administrative (0301), Fishery/Biology (0482), General Physical Science (1301), Geography/Oceanography (1315), and Meteorologist (1340.) (Table B6 Permanent.)

NOAA's largest groups of employees with targeted disabilities are in the following categories: deafness (18), blindness (15), and mental illness (15) (Table B1). All six of the permanent employees who voluntarily separated in FY 2010 had self-disclosed a mental illness, convulsive disorder, blindness, and distortion of limb/spine (Table B14). One permanent employee who involuntarily separated did not disclose a disability (Table B14). The temporary employees who separated were voluntary, five were not identified, ten did not disclose a disability, and one partial paralysis (Table B14a.)

The overall representation of NOAA employees with targeted disabilities is 0.63%. The NOAA line offices with the largest participation rates for employees with targeted disabilities are the Finance and Administration Office (1.72%) and the National Environmental Satellite Data and Information Service (NESDIS) (0.77%), which are below the NOAA and Federal-wide goal of 2% (Table B2.) Note: the Finance and Administration Office is no longer in existence, but is still used as a category to pull group data; it is made up of the Office of the Chief Information Officer, the Office of the Chief Financial Officer, the Office of the Human Resources Director, the Office of Acquisitions and Grants, and the Office of the Chief Administrative Officer  
(For further analysis and an illustrative bar graph, please refer to the B Tables Analysis Attachment 6.)

**Accomplishments:**

**In anticipation of the President's Executive Order Increasing Federal Employment of Individuals with Disabilities, envisioned a strategy to put 2% hiring and retention goals in place for people with disabilities within NOAA's line offices, to be spread out over a five year period.**

**1. Drafted NOAA's Corporate response to Equal Employment Opportunity Commission (EEOC)**

**Management Directive 715, Part J**, officially establishing a five year plan to increase the participation of employees with targeted disabilities to 2% of the NOAA workforce (currently at 0.6%.) Assisted the NOAA EEO Line Offices (EEO LOs) with their Part J analysis.

**2. Implementing NOAA's 2% Hiring and Retention Goal for Employees with Disabilities. WFMO** hired a Selective Placement Program Manager (SPPM) to address the hiring and retention goal for employee with disabilities.

**3. Initiated the project manager lead role for the Targeted Recruitment plan within WFMO.** Drafted a statement of need and shared with stakeholders. Met with WFMO leadership to gather feedback on potential action steps for increasing hiring of people with disabilities. Addressed a special request from USEC/DUS and WFMO Director to explore reestablishing a partnership agreement between NOAA and the Entrypoint internship program. Entrypoint briefing provided to WFMO Director on 8/19/10. Participating in two additional project teams: Fed Recruit and the WFMO Web Team. Finalized the new policy and internal procedures for NOAA's sign language interpreting services program utilizing the Oracle Calendar system to place requests.

**Reasonable Accommodation Policy and Procedures.** Led meetings between EEO LO's, CRO, WFMO, & OGC to approve the recommendations for RAC roles and responsibilities. 11/15/2009, Drafted NOAA's All Hands announcement of the interim procedures for reasonable accommodation requests. (An all hands announcement on new reasonable accommodation procedures was eventually sent by RAC on 8/24/10.) 10/19/10, Developed NOAA Administrative Order with accompanying handbook. 3/15/10 Drafted reasonable accommodations handbook for managers. Assisted with two high level reasonable accommodations agreements for CRO and the Office of Education, including coordinating assessments from the TARGET center, CAP, and the Job Accommodation Network.

**Part V**  
Goals for Targeted Disabilities

Agencies with 1,000 or more permanent employees are to use the space provided below to describe the strategies and activities that will be undertaken during the coming fiscal year to maintain a special recruitment program for individuals with targeted disabilities and to establish specific goals for the employment and advancement of such individuals. For these purposes, targeted disabilities may be considered as a group. Agency goals should be set and accomplished in such a manner as will effect measurable progress from the preceding fiscal year. Agencies are encouraged to set a goal for the hiring of individuals with targeted disabilities that is at least as high as the anticipated losses from this group during the next reporting period, with the objective of avoiding a decrease in the total participation rate of employees with disabilities.

Goals, objectives and strategies described below should focus on internal as well as external sources of candidates and include discussions of activities undertaken to identify individuals with targeted disabilities who can be (1) hired; (2) placed in such a way as to improve possibilities for career development; and (3) advanced to a position at a higher level or with greater potential than the position currently occupied.

The NOAA Civil Rights Office, in conjunction with the Human Capital Council, the Office of the Chief Administrative Officer, and Deputy Under Secretary for Oceans and Atmosphere, and the NOAA Executive Panel, have established two preliminary **Corporate Priorities** relating to Individuals with Targeted Disabilities:

<b>Fiscal Year 2010 NOAA Corporate Priorities for Individuals with Targeted Disabilities</b>	
<b>I.</b>	<b>Establish 2% Hiring and Retention Goals for Employees with Targeted Disabilities.</b>
<b>II.</b>	<b>Implement the Departmental Reasonable Accommodations Policy at the NOAA level (DAO 215-10.)</b>

Although priority one has been approved conceptually through the NOAA governance structure, NOAA Line and Staff Offices are reviewing the proposed methodology as recommended by the Civil Rights Office and will determine their particular own particular goal.

In support of these Corporate Priorities, the NOAA Civil Rights Office (CRO) has been tasked with tracking these goals through mandatory, monthly project status reports to NOAA Leadership. NOAA Line Offices (LO) will submit quarterly reports to the CRO on progress made towards achieving the goals.

**Goal I. Increase (and retain) the employment of people with targeted disabilities within NOAA to achieve a NOAA-wide participation rate of 2% within the next five years.**

**Expected Outcomes:**

1. Increase annually the number of people with disabilities who **apply** for employment.
2. Increase annually the number of qualified applicants with disabilities who are **offered** employment with NOAA.
3. Increase annually the number of NOAA employees with disabilities who are **retained**.

**Strategies:**

- **Implement a 2% Goal.** Each LO will establish hiring/retention goals for people with targeted disabilities (PWTD) to be broken down over the next five years to achieve an overall 2% participation rate in the NOAA workforce. At the end of the five year period, all NOAA Line Offices should have achieved a 2% participation rate. The first year's goal will be 1/5<sup>th</sup> of the overall figure needed to achieve 2%, the second year will be a cumulative total of 2/5<sup>th</sup> of the overall 2% figure, the third year will be 3/5<sup>th</sup>, etc. Figures should be adjusted for new yearly totals to ensure the 2% hiring goals remain accurate. (Please see the table below for specific numbers needed to achieve 2% hiring/retention goals in each Line Office.) These goals should exceed the expected loss rate for PWTD. Managers will be encouraged to be proactive in recruitment outreach efforts to PWTD.

Project future vacancies, analysis of expected retirements, and other separation trends to determine where to recruit for PWTD. (Responsible party: Line Office EEO Program Managers.)

**NOAA Hiring Goals for People with Targeted Disabilities (Permanent)**

NOAA Line Office	Number of People with Targeted Disabilities	Total Workforce	Line Office Percent out of the Total Workforce	Line Office 2% Goal Actual Numbers of PWTD	Line Office Actual Numbers of PWTD Offset by Current Number of Onboard PWTD	Yearly Goals Divided Over 5 Year Period
NOAA Corporate Offices	16	928	6.96%	18.56	<b>3</b>	0.6
NOAA/ OMAO	2	706	5.29%	14.12	<b>13</b>	2.6
NOAA/ NOS	7	1307	9.80%	26.14	<b>20</b>	4.0
NOAA/ NWS	31	5119	38.37%	102.38	<b>72</b>	14.4
NOAA/ Fisheries	13	3292	24.68%	65.84	<b>53</b>	10.6
NOAA/ NESDIS	7	906	6.79%	18.12	<b>12</b>	2.4
NOAA/ OAR	4	779	5.84%	15.58	<b>12</b>	2.4
NOAA/ Under Sec.	0	288	2.16%	5.76	<b>6</b>	1.2
NOAA / Program Planning & Integration	0	15	0.11%	0.3	<b>1</b>	0.2
<b>Total</b>	<b>80</b>	<b>13340</b>	<b>100.00%</b>	<b>266.8</b>	<b>186.8</b>	<b>38.2</b>
<b>2% Goal</b>		<b>266.8</b>				

The overall NOAA Corporate Goal of 2% participation rate for people with targeted disabilities translated into actual numbers is 264 (rounded up.) This number has been divided by the Line Office (LO) percent out of the total workforce. These numbers are offset by the current number of onboard people with targeted disabilities in each line office. These numbers will be spread out over the next five years with the ultimate goal of achieving an overall 2% participation rate in the NOAA workforce at the end of the five year period. The first year's goal will be 1/5<sup>th</sup> of the overall figure needed to achieve 2%, the second year will be a cumulative total of 2/5<sup>th</sup> of the overall 2% figure, the third year will be 3/5<sup>th</sup>, etc. Figures should be adjusted for new yearly totals to ensure the 2% hiring goals remain accurate.

*\*Corporate Offices include CIO, CFO, WFMO, Acquisitions and Grants, CAO, and PPI.*

- **Expand the Number of People with Disabilities in NOAA's Recruitment Pool.** Publicize NOAA job opportunities as widely as possible, for example: 1.Regular email blasts and web postings pushed out to the disability community (through the Vocational Rehabilitation providers and publications and websites with wide readership of people with disabilities) 2. Participation in job fairs, 3. Create a welcome/ recruitment package to be sent out to college career offices currently participating in the Workforce Recruitment Program with (with the ultimate purpose of encouraging students with disabilities to consider applying for NOAA internships and full time employment.) 4. Work with hiring managers who are hiring for major occupation categories to consider designating at least one slot for a Schedule A candidate. (Responsible party: Workforce Management Office)
- **Create a Pipeline for Future Employment through Federal Internship Programs and On-The-Job Programs for Students and Veterans with Disabilities.** Participation in the Workforce Recruitment Program (WRP) will be publicized heavily in partnership with other NOAA WRP champions. Initiate partnerships with organizations supporting Veterans with Disabilities, educate NOAA managers on the benefits of hiring veterans with disabilities.
- Responsible Parties: Workforce Management Office and Civil Rights Office)
- **Increase Retention of Employees with Disabilities by Providing Technical Assistance on Disability Issues: i.e. Reasonable Accommodations Coordinators (RAC), Selective Placement Coordinators (SPC), and Section 508 Coordinators.** As appropriate, provide referrals to NOAA's Disability Program Manager, Line Office Reasonable Accommodations Coordinators, Selective Placement Coordinators, Section 508 Coordinators, the Job Accommodation Network (JAN), and the Computer and Electronic Accommodation Program (CAP.)
  - Create a pilot program of four separate online "Communities of Practice" for the purposes of sharing technical assistance, tips and tools, as well as training on various disability issues. (Responsible Party: Civil Rights Office)
  - Publicize the role of the NOAA Selective Placement Coordinator (SPC), re. recruitment and outreach to applicants with disabilities. All NOAA vacancy announcements will include the SPC's email address to contact for further assistance or questions on applying through the Schedule A Hiring Authority. (Responsible Party: Workforce Management Office)
  - NOAA will establish written procedures for applying via the Schedule A hiring authority for people with disabilities and publish them on the NOAA website and in other marketing

materials. (Responsible Party: Workforce Management Office)

- **Improve Management’s Awareness on Issues Related to Hiring and Retaining Employees with Disabilities.** Live and webcast training will be provided for NOAA managers. (Responsible Parties: Workforce Management Office and Civil Rights Office)

**Goal II: Implement the Departmental Reasonable Accommodations Policy at the NOAA level (DAO 215-10.)**

**Expected Outcomes/Deliverables:**

1. NOAA Administrative Order (NAO) with accompanying handbook
2. Finalize the consultations with the Unions
3. Send out announcement of new NAO to all hands NOAA
4. Develop and implement training to three groups (LO RACs, Managers, and Employees)

**Strategies:**

- One Reasonable Accommodation Coordinator (RAC) point of contact shall be established for each LO—within the EEO program offices. These LO RACs will be acting as case managers for accommodation requests, including “intake and triage” of the accommodation request, managing the timeline, providing referrals to CAP and JAN, and uploading the tracking information into the database (from form CD 575). Upon request, they may provide assistance with obtaining and interpreting medical documentation. Any back-up documentation associated with the accommodation request, including medical documentation, will be kept on file in the LO EEO office.
- In certain circumstances, a more comprehensive team approach may be required. Employee Relations Specialists should work as a team with the LO RAC to facilitate cases that have both an RA and ER component. The accommodation request and the performance and/or conduct issue shall be addressed separately, but each party shall keep one another informed at each stage in the process. When additional assistance with analysis is needed, the CRO Disability Program Manager and the WFMO Employee Relations Officer will be available to provide a consultative role. When a decision maker is considering denying an accommodation request, it is advised that this decision be made in consultation with OGC.
- CRO will provide some additional oversight and coordination roles, including: maintaining the tracking system, conducting trend analysis on the data, and providing reports to NOAA leadership, the Departmental Office of Civil Rights, and the Equal Employment Opportunity Commission.
- The CRO Disability Program Manager and the WFMO Employee Relations Officer will work in partnership to provide consistency across the agency by providing tools and education to the LO RACs, managers, and employees.

