

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

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

Section I: Efforts to Reach Regulatory Goals

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

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

a. Cluster GS-1 to GS-10 (PWD)

Answer No

b. Cluster GS-11 to SES (PWD)

Answer Yes

The USPTO's participation rate of PWD from GS-11 to SES is 6.52%.

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

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

a. Cluster GS-1 to GS-10 (PWTD)

Answer No

b. Cluster GS-11 to SES (PWTD)

Answer Yes

The USPTO's participation rate of PWTD from GS-11 to SES is 1.52%.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numerical Goal	--	12%		2%	
Grades GS-1 to GS-10	1426	199	13.96	58	4.07
Grades GS-11 to SES	11604	753	6.49	180	1.55

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

The USPTO has designated one Human Resources Specialist to serve as Selective Placement Program (Schedule A) Coordinator. The Schedule A Coordinator reviews all USPTO vacancy announcements and refers qualified Schedule A candidates to selecting officials.

Section II: Model Disability Program

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

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

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

Answer Yes

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

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Architectural Barriers Act Compliance	1	0	0	Lisa Langrell Branch Chief, Building Management and Lease Administration Branch lisa.langrell@uspto.gov
Section 508 Compliance	3	0	0	mark.reumann@USPTO.G
Special Emphasis Program for PWD and PWTD	1	0	0	Glorimar.Maldonado@uspt
Processing applications from PWD and PWTD	1	0	0	Sandra.Robinson@uspto.gc
Processing reasonable accommodation requests from applicants and employees	8	0	0	Naveen Paul Reasonable Accommodation Program Manager Naveen.Paul@uspto.gov
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Sandra.Robinson@uspto.gc

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

Answer Yes

In FY21, the Agency provided the team responsible for processing requests for Reasonable Accommodations the following training opportunities: October 2020 • Interagency Accessibility Forum (IAAF) – Increasing Access and Opportunity • NDEAM – RA for Managers and Supervisors: Common Pitfalls When Responding to Requests for Reasonable Accommodation February 2021 • LRP – Telework, Leave, and Reassignment: Tackling Reasonable Accommodations Now and After The Pandemic • Federal Exchange on Employment and Disability (FEED) -- The Relationship Between Federal Agency Disability Practices and Employee Outcomes March 2021 • University of South Florida (USF) – Diversity, Equity, and Inclusion in the Workplace Certificate program April 2021 • Federal Exchange on Employment and Disability (FEED) -- Promising Practices for Individual with Disabilities: Recruitment, Hiring, Retention, and Advancement June 2021 • Equal Employment Opportunity Commission - Annual Examining Conflicts in Employment Laws (EXCEL) Training Conference August – September 2021 • League of United Latin American Citizens (LULAC) – Federal Training Institute

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

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

Answer Yes

Section III: Program Deficiencies In The Disability Program

Section IV: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

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

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

USPTO leverages all available noncompetitive hiring authorities for applicants with disabilities (Schedule A, 30% or more disabled veteran).

3. When individuals apply for a position under a hiring authority that takes disability into account (e.g., Schedule A), explain how the agency (1) determines if the individual is eligible for appointment under such authority; and, (2) forwards the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed.

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

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

Answer Yes

The Agency provides computer based training annually, including: • A Roadmap to Success: Hiring, Retaining, and Including People with Disabilities • Uniformed Services Employment and Reemployment Rights Act – USERRA • Veterans Employment Training All hiring managers are required to take the above-mentioned computer-based trainings on an annual basis as part of

fulfilling OPM's annual training on the policies and procedures necessary for performing their duties within federal guidelines.

B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS

Describe the agency's efforts to establish and maintain contacts with organizations that assist PWD, including PWTD, in securing and maintaining employment.

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

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

a. New Hires for Permanent Workforce (PWD) Answer No

b. New Hires for Permanent Workforce (PWTD) Answer No

New Hires	Total (#)	Reportable Disability		Targeted Disability	
		Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants	4267	13.87	0.14	6.37	0.07
% of Qualified Applicants	3150	11.94	0.19	5.37	0.10
% of New Hires	334	6.59	0.00	2.69	0.00

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

a. New Hires for MCO (PWD) Answer Yes

b. New Hires for MCO (PWTD) Answer Yes

The USPTO has three major MCOs: General Attorneys (0905), Patent functions (1220 series), and IT Management Specialists (2210). For Patent Examiners (1224), PWD and PWTD were selected below the benchmark for the qualified applicant pool. In the qualified applicant pool, identified PWD and PWTD represented 6.80% and 3.20% of applicants, respectfully. PWDs and PWTDs were selected at 6.01% and 1.72%, respectfully. For General Attorneys, PWD and PWTD were hired at a rate lower than the benchmark for the qualified applicant pool. Specifically, out of a qualified applicant pool that was 14.32% PWD and 7.38% PWTD, 2.27% of the hires were PWD, all of which were PWTD. It is worth noting that some applicants chose not to identify their disability status. For series 1224, 0905, and 2210, those who did not identify represented 4.26%, 6.34%, and 6.89% of applicants, respectfully.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability	Targetable Disability
		New Hires (%)	New Hires (%)
Numerical Goal	--	12%	2%
0905 GENERAL ATTORNEY	44	2.27	2.27
1220 PATENT ADMINISTRATION	6	0.00	0.00
1222 PATENT ATTORNEY	3	0.00	0.00
1224 PATENT EXAMINER	232	6.03	1.72
1226 DESIGN PATENT EXAMINER	19	10.53	5.26
2210 INFORMATION TECHNOLOGY MANAGEMENT	17	29.41	17.65

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

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

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

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

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

a. Promotions for MCO (PWD) Answer Yes

b. Promotions for MCO (PWTD) Answer Yes

Theoretically, for the majority of MCOs, the USPTO provides non-competitive promotion from GS-7 to GS-14. Promotion depends on performance. Triggers exist, however, with respect to overall retention of PWDS and PWTDs to permit for this otherwise non-competitive career progression/promotion. The qualified applicant pool for the 0905 series was 5.36% identified PWD and 5.36% PWTD. No identified PWDs or PWTDs were selected. The qualified applicant pool for the 1224 series was .24% identified PWD and .24% PWTD. No identified PWDs or PWTDs were selected. The qualified applicant pool for series 2210 did not include any identified PWDs.. However, it is worth noting that the majority of qualified applicants for internal promotions chose not to identify their disability status. Applicants who did not identify are represented in the qualified applicant pool for series 0905, 1224, and 2210 at 83.05%, 81.29%, and 90%, respectfully.

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

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

A. ADVANCEMENT PROGRAM PLAN

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

During FY 2018, the Office of EEO & Diversity constituted a new Disability Working Group, dedicated to identifying barriers to career advancement and reduction of those barriers. The function of this group is being replaced by a disability/accessibility subcommittee within the new USPTO Diversity, Equity, Inclusion, and Accessibility (DEIA) Council, to be stood up in FY22. In addition, the USPTO affinity group, ResponsAbility: USPTO Disability Advocates, which focuses on advocacy and awareness of disability issues and goals, worked with USPTO leadership to promote career advancement of their members. The USPTO has developed stronger hiring manager education focusing on providing managers with the tools they need to implement (or maximize) disability recruitment and hiring strategies. For the first time ever, this will include training for aspiring managers. PWDs and PWTDs, like all USPTO employees, are able to take part in the various career development programs offered by the Agency. The competitive opportunities are announced and many of the other programs are open to all employees.

B. CAREER DEVELOPMENT OPPORTUNITIES

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

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

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

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Internship Programs						
Fellowship Programs						
Detail Programs						
Coaching Programs						
Mentoring Programs	431	431	8.82	8.82	2.78	2.78
Training Programs	140	129	11.43	10.08	2.86	3.10
Other Career Development Programs	78	48	17.95	22.92	6.41	8.33

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

a. Applicants (PWD)

Answer No

b. Selections (PWD)

Answer Yes

PWDs were selected for training programs (10.08%) at a slightly lower rate than their participation in the applicant pool (11.43%). For FY21, we did not collect disability status data for all competitive career development programs. OEEOD is collaborating with OHR to improve data collection of disability status for career development programs in place at the Agency using existing data systems and reporting methods. The following courses were reported in each category: Mentoring Programs • USPTO Enterprise Wide Mentoring Program Training Programs • USPTO Ideal Leader Confidence Course (for SLs and GS 15 Supervisors) • Supervisory Certificate Program Other Career Development Programs • Administrative Professionals Excellence Program • Emerging Leaders Program All applicants to the Enterprise Mentoring Program, Administrative Professionals Excellence Program, and Supervisory Certificate Program were selected to participate.

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

a. Applicants (PWTD)

Answer No

b. Selections (PWTD)

Answer No

For FY21, we did not collect disability status data for all competitive career development programs. OEEOD plans is collaborating with OHR to improve data collection of disability status for career development programs in place at the Agency using existing data systems and reporting methods. The following courses were reported in each category: Mentoring Programs • USPTO Enterprise Wide Mentoring Program Training Programs • USPTO Ideal Leader Confidence Course (for SLs and GS 15 Supervisors) • Supervisory Certificate Program Other Career Development Programs • Administrative Professionals Excellence Program • Emerging Leaders Program All applicants to the Enterprise Mentoring Program, Administrative Professionals Excellence Program, and Supervisory Certificate Program were selected to participate.

C. AWARDS

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

a. Awards, Bonuses, & Incentives (PWD)

Answer Yes

b. Awards, Bonuses, & Incentives (PWTD)

Answer Yes

PWDs have received cash awards under \$500, \$501-\$999, \$1000-\$1999, \$2000-\$2999, \$3000-\$3999, \$4000-\$4999, and greater than \$5000 at inclusion rates of 21.62, 52.36, 73.77, 17.52, 13.12, 13.64, and 29.17, respectively. Employees without disabilities won cash awards at inclusion rates of 27.14, 65.41, 129.22, 16.98, 15.73, 24.78, and 37.96, respectively. There are triggers for PWDs at all cash award levels except for the \$2000 – \$2999 range. PWTDs have received cash awards under \$500, \$501-\$999, \$1000-\$1999, \$2000-\$2999, \$3000-\$3999, \$4000-\$4999, and greater than \$5000 at inclusion rates of 12.61, 50.42, 85.71, 15.97, 16.39, 15.13, and 37.39, respectively. Employees without disabilities won cash awards at inclusion rates of 27.14, 65.41, 129.22, 16.98, 15.73, 24.78, and 37.96, respectively. There are triggers at all award levels except \$3000 - \$3999. Only 5 individuals received a time off award over 20 hours, and none were a PWD.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 1 - 10 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 1 - 10 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 1 - 10 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 11 - 20 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 11 - 20 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 11 - 20 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 hours: Awards Given	0	0.00	0.00	0.00	0.00

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 31 - 40 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Average Hours	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: \$501 - \$999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$501 - \$999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$501 - \$999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$1000 - \$1999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$1000 - \$1999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$1000 - \$1999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$2000 - \$2999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$2000 - \$2999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$2000 - \$2999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$3000 - \$3999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$3000 - \$3999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$3000 - \$3999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$4000 - \$4999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$4000 - \$4999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$4000 - \$4999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$5000 or more: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: \$5000 or more: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: \$5000 or more: Average Amount	0	0.00	0.00	0.00	0.00

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

a. Pay Increases (PWD)

Answer No

b. Pay Increases (PWTD)

Answer Yes

PWTDs received quality step increases at an inclusion rate of 0.84, while persons without disabilities received them at an inclusion rate of 0.94.

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

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

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

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

D. PROMOTIONS

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

a. SES

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

c. Grade GS-14

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer Yes

d. Grade GS-13

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

The data table used for this analysis did not provide the relevant applicant pool. Using the qualified applicant pool as a benchmark, there are triggers for PWD in selections at the GS-14 level, where the qualified pool was 5.95% identified PWDs, and none were selected. Additionally, none of the applicants to SES positions identified themselves as a PWD. It is worth noting that, among the applicants for internal promotions, the majority of applicants chose not to disclose their disability status. For SES, GS-15, GS-14, and GS-13 vacancies, those who did not disclose represented 91.67%, 84.20%, 78.48%, and 84.21%, of applicants, respectfully.

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

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

a. SES

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

c. Grade GS-14

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer Yes

d. Grade GS-13

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

The data table used for this analysis did not provide the relevant applicant pool. Using the qualified applicant pool as a benchmark, there are triggers for PWTD at the GS-14 level, where the qualified pool was 1.62% identified PWTDs, and none were selected. Additionally, none of the applicants to the SES identified themselves as a PWTD. It is worth noting that, among the applicants for internal promotions, the majority of applicants chose not to disclose their disability status. For SES, GS-15, GS-14, and GS-13 vacancies, those who did not disclose represented 91.67%, 84.20%, 78.48%, and 84.21%, of applicants, respectfully.

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

a. New Hires to SES (PWD) Answer Yes

b. New Hires to GS-15 (PWD) Answer Yes

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

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

Participation of PWDs in the qualified applicant pool for GS-15 positions was 21.33%, and no PWDs were selected for GS-15 positions. Participation of PWDs in the qualified applicant pool for SES positions was 13.33%, and no PWDs were selected for SES positions. Those who did not disclose their disability status made up 7.58% and 16.67% of the qualified applicant pool for GS-15 and SES positions, respectively. The vast majority of our senior level positions are internal hires due to the subject matter expertise required at the senior levels. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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

a. New Hires to SES (PWTD)	Answer	Yes
b. New Hires to GS-15 (PWTD)	Answer	Yes
c. New Hires to GS-14 (PWTD)	Answer	No
d. New Hires to GS-13 (PWTD)	Answer	No

Participation of PWTDS in the qualified applicant pool for GS-15 positions was 8.06%, and no PWTDS were selected for GS-15 positions. Participation of PWTDS in the qualified applicant pool for SES positions was 3.33%, and no PWTDS were selected for SES positions. Those who did not disclose their disability status made up 7.58% and 16.67% of the qualified applicant pool for GS-15 and SES positions, respectively. The vast majority of our senior level positions are internal hires due to the subject matter expertise required at the senior levels. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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

a. Executives

i. Qualified Internal Applicants (PWD)	Answer	N/A
ii. Internal Selections (PWD)	Answer	No

b. Managers

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

c. Supervisors

i. Qualified Internal Applicants (PWD)	Answer	N/A
ii. Internal Selections (PWD)	Answer	No

The data table used for this analysis did not provide the relevant applicant pool. PWDs were represented in the qualified applicant pool for Managers at 33.33%, and no PWDs were selected. Those who did not disclose their disability status made up 66.67% of the qualified applicant pool for managers.

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

a. Executives

i. Qualified Internal Applicants (PWTD)	Answer	N/A
ii. Internal Selections (PWTD)	Answer	No

b. Managers

i. Qualified Internal Applicants (PWTD)	Answer	N/A
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ii. Internal Selections (PWTB)	Answer	No
c. Supervisors		
i. Qualified Internal Applicants (PWTB)	Answer	N/A
ii. Internal Selections (PWTB)	Answer	No

The data table used for this analysis did not provide the relevant applicant pool. No PWTBs applied for internal promotions to supervisor or manager positions.

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

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

PWDs were represented in the qualified applicant pool for Executives and Managers at 28.18% and 28.33%, respectfully. No PWDs were selected. The vast majority of our supervisory positions are internal hires due to the subject matter expertise required at the supervisory level. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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

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

PWTBs were represented in the qualified applicant pool for Executives and Managers at 10% and 11.67%, respectfully. No PWTBs were selected. The vast majority of our supervisory positions are internal hires due to the subject matter expertise required at the supervisory level. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

Section VI: Plan to Improve Retention of Persons with Disabilities

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

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer Yes

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

a. Voluntary Separations (PWD) Answer Yes

b. Involuntary Separations (PWD) Answer Yes

PWDs involuntarily separated (were removed) at an inclusion rate of 1.89, compared with persons without disabilities at a rate of 0.56. PWD voluntarily separated (resigned) at an inclusion rate of 3.04, compared with persons without disabilities at a rate of 2.22.

Separations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	93	1.88	0.62
Permanent Workforce: Resignation	313	3.03	2.34
Permanent Workforce: Retirement	205	1.67	1.56
Permanent Workforce: Other Separations	100	2.20	0.65
Permanent Workforce: Total Separations	711	8.79	5.17

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

a. Voluntary Separations (PWTD) Answer No

b. Involuntary Separations (PWTD) Answer Yes

PWTDs involuntarily separated (were removed) at an inclusion rate of 1.26, compared with persons without disabilities at a rate of 0.56.

Separations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	93	1.26	0.70
Permanent Workforce: Resignation	313	1.68	2.41
Permanent Workforce: Retirement	205	2.10	1.56
Permanent Workforce: Other Separations	100	3.36	0.72
Permanent Workforce: Total Separations	711	8.40	5.38

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

The Agency does not include a disability question in the exit interview. Plans are underway in FY22 to add 1-2 in the redesign. We have reviewed complaint data, however, this review did not result in the identification of root causes of separations of PWD. The team in charge of processing reasonable accommodation plans to conduct and RA retention study to identify and analyze triggers in the area of retention and promotion in FY21, which may help shed some light on separations. In addition to analyzing the separation data from the provided workforce data tables for this report, we extracted data from our agency’s internal system: • Of the 533 employees who voluntarily separated from the agency in FY21, 9.01% were identified PWDs and 1.88% were identified PWTDs.* • Of the PWDs who voluntarily separated, 52.08% resigned, 27.08% retired, 18.75% faced the end of their nonpermanent appointment in the agency, and 2.08% retired due to disability. • Of all voluntary separations, 20 (3.75%) were disability retirements. However, only one employee who separated for this reason identified as a PWD. • Of the 113 employees who involuntarily separated from the agency, 17.69% were identified PWD, and 4.42% were identified PWTD. ** • Of the PWDs who involuntarily separated, 75% were terminated during their probationary period and 25% were removed. *OPM NOA codes 301,

302, 303, 317, and 352 were used for voluntary separations **OPM NOA codes 304, 312, 330, 355, 357, and 385 were used for involuntary separations

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

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

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

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

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

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

C. REASONABLE ACCOMMODATION PROGRAM

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

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

In FY 2021, the average time for processing initial requests for reasonable accommodation was approximately 19 days. In FY21, the USPTO received and processed 231 new reasonable accommodation requests. This figure does not include approximately 38 carry-over requests from FY 2020 that were processed and closed in FY 2021 or requests that were re-opened to process extension requests.

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

Per Agency Administrative Order (AAO) 214-02, requests for accommodation should be processed and implemented within 45 business days of receiving the request and any necessary documentation. Pursuant to the AAO, the average pendency time of a reasonable accommodation (RA) request is approximately 19 days; the average implementation time of providing any approved accommodation is within 10 days of the accommodation decision being issued. The RA Program Manager tracks the number of requests by: the type grant or denial; job (series, grade, and Agency component); and processing time. The RA Program Manager continued to lead regular bi-monthly meetings with Agency deciding officials, representatives from the Office of General Law;

representatives from the Workforce Management Division, and various staff members to discuss and review pending RA cases, analyze trends, and develop consistent and effective approaches to processing, deciding, and implementing RA requests. The Agency conducts periodic internal RA training/briefing sessions to executives and supervisors on a regular basis. The sessions provide information on what constitutes a disability; the Agency's obligation in accommodating PWD; the supervisor's role in the process; common types of accommodations. The sessions include interactive hypothetical scenarios and discussions to provide examples to participants. Also, the Agency provides RA training to employees as part of its new hire orientation, to new managers as part of the internal Supervisor Certificate Program, and to members of executive leadership as part of the agency's Leadership Forum Conference (held once every 2 years). RA and disability training sessions are also provided, upon request.

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

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

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

In furtherance of the Agency's ongoing initiatives to hire and advance individuals with disabilities, OEEOD led the charge to successfully procure the first Agency-wide contract for personal assistance services (PAS) in May 2020. Additionally, OEEOD submitted a revised Reasonable Accommodation policy including PAS to the EEOC. The policy was approved in May 2020. In FY21, the USPTO did not receive and requests for PAS services.

Section VII: EEO Complaint and Findings Data

A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer Yes

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

Answer No

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

The Agency did not have any findings of discrimination alleging harassment based on disability status in FY21.

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer Yes

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

Answer No

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

The Agency did not have any findings of discrimination involving a failure to provide a reasonable accommodation in FY21.

Section VIII: Identification and Removal of Barriers

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

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

Answer Yes

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

Answer Yes

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

Source of the Trigger:	Workforce Data (if so identify the table)								
Specific Workforce Data Table:	Workforce Data Table - B1								
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?	The Agency's lower than expected participation rate of PWD (7.33%) and PWTD (1.80%) than the federal goals of 12% and 2%, respectively.								
STATEMENT OF BARRIER GROUPS:	<i>Barrier Group</i> People with Disabilities People with Targeted Disabilities								
Barrier Analysis Process Completed?:	N								
Barrier(s) Identified?:	N								
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.	<table border="1"> <thead> <tr> <th>Barrier Name</th><th>Description of Policy, Procedure, or Practice</th></tr> </thead> <tbody> <tr> <td> </td><td> </td></tr> </tbody> </table>					Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice								
Objective(s) and Dates for EEO Plan									
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description				
10/01/2017	09/30/2022	Yes			Increase the participation rate of PWD/TD to meet the federal goals of 12% and 2%.				
Responsible Official(s)									
Title		Name		Standards Address The Plan?					
Diversity Program Manager		Glorimar Maldonado		Yes					
Planned Activities Toward Completion of Objective									
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date	Completion Date			
09/30/2019	Develop language to include in vacancy announcements that encourage applicants to disclose disability status.			Yes		09/30/2019			
09/30/2019	Work with the Office of Human Resources to ensure that this additional language is included in all future vacancy announcements.			Yes		09/30/2019			

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2022	Include ResponsAbility: USPTO Disability Advocates and the Schedule A Coordinator in the new DEIA Council to determine the appropriate next steps.	Yes	09/30/2021	
09/30/2022	Conduct annual campaign to encourage the workforce to update their disability status.	Yes	09/30/2021	
Report of Accomplishments				
Fiscal Year	Accomplishment			
2019	The following language will be included in vacancy announcements: "Please consider completing this voluntary survey. The data informs our recruitment and outreach initiatives. We do not use the data to identify specific people and we do not consider this data when making personnel decisions."			
2020	In FY20, plans were put in place for the new Diversity and Inclusion Council, which is set to launch in FY21.			
2021	<p>The DEIA Council is set to launch in FY22. Members of the Diversity Team have finalized the council charter.</p> <p>The following language is included in vacancy announcements at the agency, in an effort to ensure that new employees disclose their disability status: "Please consider completing this voluntary survey. The data informs our recruitment and outreach initiatives. We do not use the data to identify specific people and we do not consider this data when making personnel decisions."</p>			

Source of the Trigger:	Workforce Data (if so identify the table)								
Specific Workforce Data Table:	Workforce Data Table - B1								
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?	PWD and PWTD are being involuntarily separated and are resigning at a higher rate than their participation at the agency, which is not true for persons without disabilities. PWD and PWTD represent 7.34% and 1.80% of the permanent workforce, respectfully. PWD and PWTD represent 19.35% and 3.22% of involuntary separations, respectfully. PWD and PWTD represent 9.27% and 1.28% of resignations, respectfully. Persons without disabilities represent 88.99% of the permanent workforce. Of the involuntary separations, 69.23% are persons without disabilities. Of the resignations, 82.68% are persons without disabilities.								
STATEMENT OF BARRIER GROUPS:	Barrier Group People with Disabilities People with Targeted Disabilities								
Barrier Analysis Process Completed?:	N								
Barrier(s) Identified?:	N								
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.	<table border="1"> <thead> <tr> <th>Barrier Name</th><th>Description of Policy, Procedure, or Practice</th></tr> </thead> <tbody> <tr> <td> </td><td> </td></tr> </tbody> </table>					Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice								
Objective(s) and Dates for EEO Plan									
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description				
10/01/2017	09/30/2022	Yes			Increase the retention rate of qualified employees with disabilities				
Responsible Official(s)									
Title		Name		Standards Address The Plan?					
RA Program Manager		Naveen Paul		Yes					
Diversity Program Manager		Glorimar Maldonado		Yes					
Planned Activities Toward Completion of Objective									
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date	Completion Date			
09/30/2022	Re-develop content on Reasonable Accommodations given to new employees at orientation. Roll-out redeveloped content to new employees.			Yes					
09/30/2022	Design and implement survey to employees who request reasonable accommodations to identify areas to assess the success of the program and improve process.			Yes					

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2022	Make RA training mandatory for all employees, including supervisors and managers.	Yes		
09/30/2022	Add a disability question to the exit interview along with questions about promotion and career development opportunities	Yes		
09/30/2022	Amplifying messaging on Reasonable Accommodation procedures to further ensure employees' accessibility to the Agency's electronic Accommodation Point system, continue to ensure employees promptly receive the accommodations they are legally entitled to, and continue to assess the effectiveness of the RA program.	Yes		
Report of Accomplishments				
Fiscal Year	Accomplishment			
2019	Plans to develop an exit interview survey were confirmed with the Office of Human Resources.			
2020	<p>In FY 20, the OEEOD Director continued to provide RA training to all new hires as part of the Agency's new employee orientation.</p> <p>In FY20, OEEOD staff began work on developing questions to include in a survey for employees who requested reasonable accommodations, and explored options for delivering the survey and capturing the results (i.e. via a link with each RA decision, or an auto-generated email sent to all RA recipients post-decision).</p> <p>Reasonable accommodation training is not yet mandatory at the Agency, but it is strongly encouraged, and training sessions have had high attendance. The USPTO's internal Leadership Forum, held once every two years, includes RA training sessions developed by OEEOD and presented by the RA Program Manager. For this year's Leadership Forum held August 3-6, 2020, three 90-minute sessions were held due to the high level of interest. Approximately 250 managers and supervisors signed-up for and received this training.</p> <p>In October 2019, OEEOD organized and held its first annual Reasonable Accommodation Assistive Technology Fair. This event presented an opportunity for Agency employees to see live demonstrations of IT hardware and software tools offered to those with disabilities to assist in the performance their job duties. Due to the COVID-19 pandemic, OEEOD made plans to substitute a second annual fair with weekly virtual lunch and learn information sessions in October 2020, with topics to include Section 508 compliance, virtual demonstrations of assistive technologies, and reasonable accommodation process.</p>			
2021	<p>In FY21, weekly virtual lunch and learn information sessions were held for NDEAM in October, with topics including Section 508 compliance, assistive technologies, and reasonable accommodations. OEEOD also published an instructional video to the Agency's intranet site that contains instructions on how to access the Accommodation Point system to request a reasonable accommodation. In June 2021, responsAbility held an information session on hearing loss that highlighted available Reasonable Accommodations.</p> <p>Members of OEEOD attended a meeting on agency telephony requirements and used the opportunity to discuss the needs of the deaf community so that the agency can accommodate if phone resources change in the future. These include ensuring that call in numbers are available for all MS teams meetings, adding transcription for voicemails, and allowing Bluetooth connection for hearing aids.</p> <p>Plans to revamp the existing exit interview survey have been confirmed with the Office of Human Resources. Reasonable Accommodation staff are in the process of carrying out an RA retention study to identify and analyze triggers in the area of retention and promotion, which may help shape potential questions. Between October 2019 and July 2021, only 18 individuals filled out the existing exit survey.</p>			

Source of the Trigger:	Workforce Data (if so identify the table)						
Specific Workforce Data Table:	Workforce Data Table - B4						
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?	PWDs and PWTDs are not advancing in their careers as expected. In FY21, there were no identified PWDs or PWTDs selected for internal promotions to GS 14 positions, despite being represented in the qualified applicant pool at 5.95% and 1.62%, respectfully. Additionally, none of the applicants to the SES identified themselves as a PWD or PWTD. PWDs and PWTDs are represented at 6.55% and 1.57%, respectfully, in the GS-11 through SES levels that encompass 90% of the workforce.						
STATEMENT OF BARRIER GROUPS:	Barrier Group People with Disabilities People with Targeted Disabilities						
Barrier Analysis Process Completed?:	N						
Barrier(s) Identified?:	N						
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.	<table border="1"> <thead> <tr> <th>Barrier Name</th><th>Description of Policy, Procedure, or Practice</th></tr> </thead> <tbody> <tr> <td></td><td></td></tr> </tbody> </table>	Barrier Name	Description of Policy, Procedure, or Practice				
Barrier Name	Description of Policy, Procedure, or Practice						
Objective(s) and Dates for EEO Plan							
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description		
10/01/2017	09/30/2022	Yes			Increase the participation rate of PWDs at the higher GS-11 through SES levels.		
10/01/2017	09/30/2022	Yes			Increase the number of applicants to internal promotions that disclose their disability status.		
Responsible Official(s)							
Title		Name		Standards Address The Plan?			
Diversity Program Manager		Glorimar Maldonado		Yes			
Planned Activities Toward Completion of Objective							
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date		
09/30/2022	Work with leaders of Agency's affinity group, ResponsAbility: USPTO Disability Advocates, focused on PWDs and PWTDs to discuss ways to improve the enterprise-wide mentoring program.			Yes			

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2022	Meet with representatives who are responsible for mentoring program to discuss modifications to programs to help PWDs and PWTDS.	Yes		
09/30/2022	Work with ResponsAbility: USPTO Disability Advocates to help advertise mentoring program, and other career development programs to their members.	Yes		
09/30/2022	Determine why applicants choose not to disclose disability status when applying for an internal promotion.	Yes		
09/30/2022	Develop a plan to use existing data systems to improve data on applicants and hires to internal promotions.	Yes		
Report of Accomplishments				
Fiscal Year	Accomplishment			
2019	Only one SES internal hire was made in FY19. The participation rate for PWTD in GS-11 through SES (2.00%) was higher than the PWTD participation rate in the Agency as a whole (1.72%).			
2020	Members of responsAbility and employees in the Office of EEO and Diversity have formed a Disability Advisory Council, now under the direction of the Diversity Program Manager. In FY20, plans were made to fold this group into a new Diversity and Inclusion Council, to be launched in FY21. In FY20, there were 11 SES selections, of which 1 new executive (9.09%) is a PWD, and none are PWTDS.			
2021	<p>The DEIA Council is set to launch in FY22 and will include a disability/accessibility working group. Members of the Diversity Team have finalized the council charter.</p> <p>OEEOD obtained demographic data for participants in the USPTO FY 21 Mentoring Program, Administrative Professionals Excellence Program, and Emerging Leaders Program. Of the 23 participants in the emerging leaders program, 4, or about 22%, were employees with disabilities. The Enterprise Mentoring Program had 425 participants in FY21, 8.71% of which identify as a person with a disability.</p> <p>The Diversity Team has developed a static data table dedicated to displaying data on persons with disabilities at the agency, including breakdown of persons with disabilities by sex and race/national origin. These data confirm that PWDs are overrepresented in each GS grade up until GS-14, GS-15, and the SES, where they are underrepresented. PWTDS are underrepresented at the GS-11, 12, 14, 15, and SES levels. In FY21, 4 people were selected for a promotion the SES, and none has a disability.</p>			

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

N/A

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

In FY19, language was added to vacancy announcements with the goal of increasing the number of responses to a survey indicating disability status. In FY 21, the USPTO hired 688 new employees in the permanent workforce. Of those hires, 15.99% were PWD, 3.49% were PWTD, and 7.27% did not disclose their disability status. In FY20, of the 690 permanent hires, 15.65% were PWD, 2.32% were PWTD, and 7.39% did not disclose their disability status. We hope to see long a long-term reduction in the number of new applicants who do not disclose their disability status.

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

In FY19, The Office of Equal Employment Opportunity and Diversity added one full time equivalent to the diversity team in an effort to enhance USPTO's ability to recruit, retain, and advance the careers of PWDs and PWTDS. Additionally, a new Diversity Program Manager was hired in FY19 who took on a leadership role in the Agency's Disability Advisory Council that helps OEEOD better serve the needs of PWDs and PWTDS. The function of this group will be replaced by a disability/accessibility working group within a new DEIA Council, to be launched in FY22.