

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 following background information is provided to assist the reader in reviewing this report: • This report presents separate results for both persons with disabilities (PWD) and persons with targeted disabilities (PWTD) employed, or seeking employment, with the Securities and Exchange Commission (SEC). As required by the U.S. Equal Employment Opportunity Commission (EEOC), the analysis and report reflect the participation of persons with (targeted) disabilities in two different "clusters" – Cluster GS-1 to GS-10, and Cluster GS-11 to SES (Senior Officer-equivalent for the SEC). The clusters are calculated based on the locality adjusted salary specified in the revised regulations implementing Section 501 of the Rehabilitation Act of 1973. As a point of reference, in FY 2021, the locality adjusted salary of a GS-11, step 1, in the Washington, DC area was \$72,750. • The EEOC has established numerical goals for the employment and utilization of persons with disabilities (12%) and persons with targeted disabilities (2%) for each of the two clusters. The SEC's goal is to meet and exceed these relevant benchmarks for PWD and PWTD for each cluster. • As in prior years, and consistent with EEOC regulations, the SEC included permanent and temporary employees hired under authorities that take disability into account as PWD under the relevant hiring authority. Permanent and temporary employees who did not self-identify on standard form 256 (SF-256) as having a disability but whose personnel record indicates they received veterans' preference (e.g., CPS – preference based on compensable service-connected disability of 30% or more) are included in the total PWD workforce data tables. Similarly, permanent and temporary employees not self-identified on SF-256 but whose personnel record documents that they were hired or converted into the competitive service under Schedule A, part u (5 C.F.R. § 213.3102(u) Appointment of persons with intellectual disabilities, severe physical disabilities, or psychiatric disabilities) are included in the total PWD workforce for purposes of utilization analysis. For employees with salaries below a GS-11, step 1, the Agency achieved the numerical goal for PWD participation; eight or 62.50% of employees in this cluster were PWD compared to the 12% benchmark. See Table B5. For employees with locality adjusted salaries above a GS-11, step 1, the Agency did not achieve the required numerical goal, as 8.81% of employees in this cluster were PWD compared to the 12% benchmark. While the numerical goal was not achieved, the current participation rate represents an increase of 2.27 percentage points since the end of FY 2015. Between FY 2015 and FY 2021, the participation of PWD in the total workforce increased from 6.57% to 8.81%; participation increased in both the lower and higher salary clusters.

*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 | Yes |
| b. Cluster GS-11 to SES (PWTD) | Answer | Yes |

The SEC did not achieve the numerical goal established for PWTD in the lower salary cluster during FY 2021. In the lower salary cluster, none of the eight permanent employees are PWTD. The SEC did not achieve the numerical goal for PWTD among higher-salaried employees 1.81% of higher-salaried employees are PWTD.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numerical Goal	--	12%		2%	
Grades GS-1 to GS-10	0	0	0.00	0	0.00
Grades GS-11 to SES	4192	354	8.44	66	1.57

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

In FY 2021, the SEC’s Office of Human Resources (OHR) developed the 2022 – 2024 Recruitment Strategy (Recruitment Strategy) which describes the support and collaboration necessary from senior leadership, the Office of Equal Employment Opportunity (OEEO), and Office of Minority and Women Inclusion (OMWI) to recruit a diverse candidate base. The Recruitment Strategy specifically states that the SEC’s objective is to “Increase workforce representation for people with disabilities and people with targeted disabilities.” The Recruitment Strategy identified two goals towards this objective: (1) build a talent pool of qualified Schedule A applicants; and (2) improve veteran recruitment efforts. Specific strategies and tasks in the plan for recruitment explain how this objective will be accomplished. For particular hiring actions, OHR continues to address special hiring authorities, including Schedule A, in conversations with hiring managers to reinforce progress toward achieving numerical goals. A checklist is used by OHR Staffing specialists when vacant positions are identified to ensure hiring managers understand all their options for filling positions, including using Schedule A and veterans’ hiring authorities for those applicants with a service-connected disability of 30% or more. More generally, the hiring goals for PWTD (i.e., 2% of the total workforce) are communicated to hiring managers during quarterly Office of Human Resources Steering Committee meetings. Additionally, metrics for disability hiring are published monthly and at the end of the year by the SEC’s Office of the Chief Operating Officer (OCOO). The overall percentage of employees who are PWTD is posted in the Diversity Dashboard sponsored by OMWI and the SEC’s Diversity Council. To augment these information sources, OHR continues to provide the Human Capital Reporting & Analytics (HCRA) dashboard. The HCRA provides, among other key human capital metrics, aggregate data on the disability status for self-identified PWD and PWTD. A series of data filters enable leaders to understand employee gains and losses within their particular Division or Office for specific occupations, grades, and duty stations. OHR uses this information to support Human Capital strategic planning. Throughout FY 2021 and particularly during National Disability Employment Awareness Month in October 2020 and October 2021, the Agency hosted events that focused on inclusion of persons with a disability. As described later, these events were often sponsored and/or hosted by the Disability Interests Advisory Committee (DIAC). In opening and/or closing remarks, leaders noted the Agency’s goals for recruiting and hiring PW(T)D, frequently mentioning the high value such employees bring to the Agency’s mission.

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

- 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

The Agency designated sufficient talent acquisition resources and Full Time Equivalents to Special Programs classification, recruitment, and staffing in support of the disability program.

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

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Processing reasonable accommodation requests from applicants and employees	3	0	0	Dia Gonsalves Disability Program Officer gonsalvesd@sec.gov
Special Emphasis Program for PWD and PWTD	3	0	0	Xiya Li Branch Chief and Lead HR Specialist lixiy@sec.gov
Section 508 Compliance	1	0	0	Sharvon Jones Governance Branch jonessh@sec.gov
Processing applications from PWD and PWTD	13	0	0	Xiya Li Branch Chief Lixiy@sec.gov
Answering questions from the public about hiring authorities that take disability into account	13	0	0	Xiya Li Branch Chief Lixiy@sec.gov
Architectural Barriers Act Compliance	0	0	3	Ray Ferrari, Jinhee Kim, Carla Hairston RA LEED AP Architects and HCIDQ ferrarir@sec.gov, kimjin@sec.gov, hairstonc@sec.gov

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

Staff received on-the-job training from the Disability Program Officer and the full-time Reasonable Accommodation Coordinator and periodically attended training programs and reviewed recent case law to stay current with developments in this area. The Disability Program Officer completed courses specific to recruiting, accommodating disabilities, religious accommodations, performance management, hiring, and retaining PWD and PWTD via OPM’s HR University and the SEC’s Learning Management System, LEAP, in addition to the general training received. More generally, all of the SEC’s HR specialists have completed training courses related to staffing and placement offered by the USDA Graduate School or Office of Personnel Management (OPM) and through various other platforms. The Agency’s training and development office also offers learning options that include processing applications for PWD and PWTD. The Agency will continue these practices in the future. Changes are planned in line with implementation of requirements and recommendations under Section 501 of the Rehabilitation Act. Those changes will require more focused and specific training for both HR specialists and disability program staff on related policy and procedures post implementation.

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

The Agency was resourced adequately during the reporting period to successfully implement the disability program; however, processing employee requests for an exemption from the COVID vaccine mandate for federal employees significantly increased the Reasonable Accommodation Program’s workload.

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 SEC is committed to being a model employer for people with disabilities. The SEC streamlined the approach to the general hiring process using the Schedule A hiring authority for persons with disabilities. This streamlined approach for external hiring requests were filtered through the Selective Placement Program Coordinator (SPPC) for review. The SPPC referred qualified applicants to hiring managers prior to or concurrently with the general staffing process. OHR also continued to take steps toward improving the representation of PWD and PWTD in applicant pools. Since focusing on these efforts under OHR's 2018 – 2019 Recruitment Strategy which was extended into FY 2021, the SEC has realized an increase in the overall representation of people with disabilities through effective recruitment and outreach efforts that identify the Agency as an employer of choice. The SEC noted that in FY 2021, within the mission critical occupations (MCO) of accountant, examiner, and IT management, applications from PWD remained at the same rates as in FY 2020 or slightly declined. Despite the mandatory telework posture, the Agency maintained a strong recruitment presence in FY 2021, and attended 18 virtual career fairs and events supporting disability recruitment efforts in building talent pools for future employment. OHR will continue to leverage the DIAC for recruitment resources and assistance. Further, OHR will continue to retain and review applications from people with disabilities for future openings and will conduct targeted outreach to connect with qualified candidates by collaborating with community-based partners such as nonprofit organizations, national and local disability organizations, and federally-funded state and local employment programs.

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

The Agency uses a variety of available resources that support hiring through Schedule A and other hiring authorities that take disability into account. The Disability Program Manager and/or SPPC receives notifications and newsletters from the following groups and transmits information to OHR staff engaged in recruitment: • EARN – Employer Assistance Resource Network: <http://askearn.org> • JAN – Job Accommodation Network: <http://askjan.org> • ODEP – Office of Disability Employment Policy, Department of Labor: <http://www.dol.gov/odep/> • OWF – Operation Warfighter Program: <https://warriorcare.dodlive.mil/carecoordination/operation-warfighter/>

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 following describes two procedures for processing applications under the Schedule A hiring authority for persons with disabilities, one used in response to a specific vacancy posting and the other for unsolicited Schedule A applications. 1. The Office of Human Resources processes Schedule A applications in response to a Job Opportunity Announcement (JOA). Applicants who wish to be considered for a specific vacancy under the Schedule A hiring authority must submit the appropriate documentation when applying for a current open JOA. The SEC defers to the OPM-identified appropriate documentation. Applications are reviewed by HR specialists to determine if the applicant is minimally qualified as identified in the JOA. If the applicant is minimally qualified, that individual is referred to the hiring manager on a separate certificate of eligible candidates. HR specialists provide written guidance to hiring managers via email that explains how Schedule A applicants can be selected once the certificate has been issued. 2. The Office of Human Resources also processes unsolicited Schedule A applications. Applicants who wish to be considered under the Schedule A hiring authority, outside the process for a specific vacancy posting, must submit the appropriate documentation as identified by OPM with their application. The Special Programs Manager will proactively contact the prospective applicant if the individual did not submit the required documentation. The application will not be processed until the appropriate documentation is received. Resumes submitted directly to the Special Programs Manager are reviewed to determine the potential

job series the applicant may be suitable for based on the knowledge, skills, and abilities identified on the applicant’s application. Building a pool of qualified candidates is important to the SEC; as such, the Agency has developed a Schedule A Resume Database. The SEC process for hiring starts with a Staffing Action Request Form (SARF) submitted by the hiring manager. Upon request, when a SARF is received by OHR, the Special Programs Manager compiles a certificate of eligible candidates from the database per the job series and refers candidates to hiring managers. The Special Programs Manager conducts a one-on-one consultation with the hiring manager to discuss the certificate of eligible candidates, as appropriate. The SEC’s administrative regulations on its Veterans Employment Program provides instruction for hiring veterans with disabilities and was last updated in January 2017. The Agency’s administrative regulations are available upon request.

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

In FY 2021, periodic training occurred with each hiring manager who requested to fill a position. The hiring checklist used by the staffing specialists contains a section on Schedule A that is discussed in-depth during the one-on-one hiring conversation between the staffing specialist and the hiring manager. The specialist advises the hiring manager on the various procedures of the Schedule A hiring process and offers it as a course of action where applicable. The SEC will continue to promote among hiring managers the successful use of Schedule A hiring to support the SEC’s Recruitment Strategy and Affirmative Action Plan for People with Disabilities.

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 SEC’s Special Programs Manager continued to maintain established partnerships with organizations that assist PWD and PWTD in securing and maintaining employment. The Special Programs Manager updated the SEC’s list of affinity organizations to maintain contact and foster relationships for recruitment events and candidate sourcing. The SEC continued to leverage the Operation Warfighter (OWF) program during FY 2021. OWF is an internship program created by the Department of Defense that matches qualified wounded, ill, and injured service members with non-funded federal internships for them to gain valuable work experience during recovery and rehabilitation. The SEC also utilized the Warriors Ethos program during FY 2021 to host transitioning service members by providing them with a volunteer opportunity to get exposure to the work done at the Agency. The program is a non-profit that specializes in helping to transition military service members with career planning, professional development, and career placement. The Special Programs Manager also maintains an ongoing relationship with the SEC’s DIAC and the Veterans Committee members which help support the Agency’s efforts to recruit PWD and PWTD. In addition, the Agency continued work to strengthen partnerships with stakeholders to include SEC program offices, such as OMWI, the National Treasury Employees Union (NTEU), DIAC, and employee affinity groups to identify sustainable actions to improve the Agency’s Diversity and Inclusion initiatives for the PWD and PWTD communities. These actions will promote greater inclusion of the PWD and PWTD communities in the SEC workforce and will support their immediate and long-term needs when the Agency transitions back to normal work posture post the COVID-19 pandemic. The DIAC and OHR continue to work collaboratively with SEC program offices and employee affinity groups to improve workplace diversity for the PWD and PWTD communities.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

1. Using the goals of 12% for PWD and 2% for PWTD as the benchmarks, do triggers exist for PWD and/or PWTD among the new hires in the permanent workforce? If “yes”, please describe the triggers below.
 - a. New Hires for Permanent Workforce (PWD) Answer Yes
 - b. New Hires for Permanent Workforce (PWTD) Answer Yes

In FY 2021, the Agency hired 222 permanent employees, of which PWD and PWTD represented 11.71% and 1.35%, respectively,

of all new hires. As such, the Agency did not achieve the numerical goals of 2% participation of PWTDD and 12% participation of PWD among permanent new hires. See Table B1.

New Hires	Total (#)	Reportable Disability		Targeted Disability	
		Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants	8257	8.48	0.01	1.72	0.01
% of Qualified Applicants	7373	8.63	0.00	1.80	0.00
% of New Hires	205	5.37	1.95	0.00	0.00

2. Using the qualified applicant pool as the benchmark, do triggers exist for PWD and/or PWTDD 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 (PWTDD) Answer Yes

In FY 2021, the SEC hired and onboarded a total of 222 permanent staff employees. Among these newly-hired staff members were 167 persons in MCO positions as follows: 91 attorneys; 22 accountants; 13 securities compliance examiners; 35 IT management specialists; and six (6) economists. Eleven of those 167 (6.59%) of newly-onboarded MCO permanent staff were PWD. As a preliminary matter, differences may be observed in comparing the demographic statistics of the qualified applicant pool (QAP), selections, and new hires onboarded. Reasons for these differences vary. Some newly-hired staff applied for a vacancy posted in the prior fiscal year or may have elected not to volunteer demographic information with their application. In addition, in FY 2021, one division posted open continuous announcements for which the applicant flow data do not fall into a specific fiscal year based on the close dates of the postings. Triggers comparing the composition of PWD and PWTDD in applicant flow versus new hire data should be interpreted with these differences in mind. Triggers were observed for PWD in the hiring of permanent IT management specialists and economists as follows: • For IT management, 5.71% of new hires were PWD, below their representation in the qualified applicant pool (10.70%). • No PWD were hired for any of the six economist positions although 27 PWD were in the QAP (5.72%). Triggers were also observed for PWTDD in the attorney, IT management, and economist occupations: • For attorneys, the QAP for PWTDD was 1.31%; no PWTDD (0.00%) were hired as permanent staff attorneys. • Sixty-six PWTDD were in the QAP (2.72%) for IT management, and no PWTDD were hired (0.00%). • Eleven PWTDD were in the QAP (2.33%) for economist positions, and no PWTDD were hired. • For securities compliance examiner vacancies posted in FY 2021, no PWD or PWTDD were found in the QAP. Thus, none were hired. See Table B6.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability	Targetable Disability
		New Hires (%)	New Hires (%)
Numerical Goal	--	12%	2%
0110 ECONOMIST	6	0.00	0.00
0510 ACCOUNTANT	22	4.55	0.00
0905 ATTORNEY-ADVISER	91	5.49	0.00
1831 SECURITIES COMPLIANCE EXAMINER	13	23.08	0.00
2210 INFORMATION TECHNOLOGY MANAGEMENT	35	5.71	0.00

3. Using the relevant applicant pool as the benchmark, do triggers exist for PWD and/or PWTDD 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 Yes
- b. Qualified Applicants for MCO (PWTD) Answer Yes

In the FY 2021 data presented in Table B6, differences were identified in the participation of PWD in the qualified internal applicants for competitive promotions as compared to the relevant applicant pool (RAP) within the attorney occupation. Differences were also identified between the RAP and QAP for PWTD within the internal competitive promotion data for the MCOs of securities compliance examiner and economist. The RAP was defined for each MCO based on the number of employees holding a qualifying occupation series and in the SK-levels encumbered at the Agency between SK-11 and SK-16. Specifically, for attorneys, the RAP included all employees in the 0905 series. For accountants, the RAP included all employees in the 0510 series. For securities compliance examiners, the RAP included all employees in the 1831 and the 0501, Financial Administration and Program series. For the information technology management occupation, the RAP included all employees in the 2210 series, and for the economist occupation, the RAP included all employees in the 0110 series. For attorneys, the Agency observed a difference between the RAP and qualified internal applicants for both PWD and PWTD. The RAP for PWD was 5.47%, and PWD represented 3.97% of the qualified internal applicants. The RAP for PWTD was 1.03%, and PWTD were 0.33% of the qualified internal applicants for attorneys. For securities compliance examiners, the Agency observed a difference between the RAP and qualified internal applicants for PWTD, but not for PWD. The RAP for PWTD was 1.69%, and PWTD represented none of the qualified internal applicants. For economists, the Agency observed differences between the RAP and qualified internal applicants for PWTD, but not for PWD. The RAP for PWTD was 1.20%, and there were no PWTD among qualified internal applicants.

- 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 No

The selection data indicate a difference for PWD in the attorney, securities compliance examiner, and economist occupations. No differences were observed for selections among the accountant or IT management occupations. For attorneys, the QAP for PWD was 3.97%, and PWD were 2.17% of selections. For securities compliance examiners, the QAP for PWD was 7.41%, and no PWD were selected. For economists, the QAP was 4.00%, and no PWD were selected. The selection data also indicate there were no differences between selections and the qualified applicant pool for PWTD in any of the mission-critical occupations.

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.

To promote equal employment opportunity, the Agency takes a number of steps to ensure that opportunities for advancement are open and available to all in the workforce, including PWD and PWTD. The following describes efforts to promote opportunities for advancement. • Information about training, the Agency’s Mentoring Program, and career development opportunities is widely shared with the workforce via SEC Today which is the SEC’s daily newsletter published agency wide. • OHR maintains a user-friendly, interactive portal, AskHR, on the SEC’s intranet, which provides employees with information about hiring, compensation and benefits, employee development, performance management, and disability accommodations, among a number of other topics. • The Chief Human Capital Officer (CHCO) is an active member of the SEC Veterans Committee, which hosts a website that

includes information concerning veterans' benefits, to include a link to the Feds Hire Vets website that highlights special hiring authorities for veterans. • DIAC regularly communicates with its membership, which includes PWD and PWTD, about its own activities, other events, developmental opportunities, and job postings or support available to the workforce. These more targeted communications help ensure that PWD and PWTD are aware of the available options and any processes for requesting participation or enrollment. In addition to these ongoing efforts, in FY 2021, the SEC made steady progress to address recommendations by the EEOC (through its technical assistance review) to improve the SEC's EEO and Disability Programs. On February 12, 2021, the SEC submitted its compliance report to the EEOC related to the on-going deficiencies and implemented the improvements noted below. These improvements include posting complaint procedures related to Section 504 and 508 of the Rehabilitation Act and Architectural Barriers Act on the SEC's external website. In response to the EEOC's recommendation that the SEC ensure PWDs participate in the SEC's Mentoring Program, OHR reserved five (5) slots in the 2022 Mentoring Program cohort for employees with disabilities and has been collaborating with DIAC to communicate this opportunity to its membership. In addition, in FY 2021, the SEC launched a cross-office working group comprised of Senior Officers who are champions of disability inclusion, subject matter experts in the Offices of Human Resources, Equal Employment Opportunity, and Minority and Women Inclusion, and key members of the Disability Interests Advisory Committee. This working group began meeting in FY 2021 and, leveraging evidence-based data, made a number of recommendations related to the recruitment, hiring, career development, promotion, reasonable accommodation, and retention of PWD and PWTD at the SEC. The working group explored enhanced marketing of available SEC career development programs, possible tailoring of existing SEC advancement-related programs, and creating new development programs tailored for employees with disabilities. The working group also explored available data related to other employment policies, practices, and processes in order to provide recommendations on enhancing the employment life cycle for individuals with disabilities.

B. CAREER DEVELOPMENT OPPORTUNITIES

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

The SEC provides numerous opportunities for employees to acquire the skills and certifications needed to succeed in their technical positions and to progress in their careers. Classroom-style and e-Learning programs offer an extensive array of learning opportunities in technical areas (e.g., courses on Hedge Funds, Mutual Funds, and Credit Derivatives, etc.), as well as in leadership development, to SEC senior leaders and non-supervisory staff alike. Among the variety of learning and development offerings, the SEC offers the five career development training programs highlighted below. Data on participation in these programs is captured along with other training program data in Section IV.B.2 below. • The C.O.R.E. Connections – Opportunity – Relationships – Equity program is a transformative professional development experience designed to provide employees at the SEC with tools and techniques to increase their effectiveness, span of contributions and engagement within their function, and support their personal well-being and growth. The series equips employees with knowledge, skills and strategies to successfully manage their unique challenges as they strive to reach senior-level positions at the SEC while helping to drive our Agency's overall success and mission effectiveness. The series has five two-hour webinars, in which participants learn strategies for authentic and difficult conversations, managing conflict and exploring the role that emotions play in leadership outcomes. • The EIG Fellows Program, coordinated by the Partnership for Public Service, strengthens the leadership skills of experienced federal employees through a combination of innovative coursework, best practices benchmarking, challenging action-learning projects, executive coaching, and government wide networking. This program is offered to SEC employees in the SK-14 to SK-17 (a mix of supervisory and non-supervisory) levels. SEC's EIG Fellows attend facilitated sessions at SEC Headquarters to share what they are learning and to explore how this information can be applied to improve organizational performance, workplace relationships, and productivity. • The Aspiring Leaders Program is an interactive blended-learning program designed to strengthen the leadership and management skills of SEC non-supervisory (SK-13 and SK-14) employees. The program covers: critical leadership skills for effective supervision; first-line management responsibilities; understanding government policy, process, and regulations relevant to management; and increasing self-awareness through guided self-assessments and feedback. • The Career Advancement Program (CAP) is a 12-month external professional development program geared toward mid-career professionals who aspire to senior leadership roles. CAP is conducted by Management Leadership for Tomorrow (MLT), a nonprofit organization that aims to transform the career trajectories of diverse leaders by providing them the skills, coaching and connections needed to accelerate their careers. CAP's professional development journey includes realistic business simulations, sustainable strategies and tools for professional growth and development, and a cohort of peers representing various industries and functions. • The Upward Mobility Program offers SEC employees in support staff positions the opportunity to expand their careers by competing for entry-level program specialist positions (series 301) starting at the SK-7 or SK-9 level and with promotion potential to the SK-12 level. These positions are open to all SEC employees serving under a permanent appointment. This program includes two years of formal training designed to foster the success of participants. The training, developed by SEC University, includes tailored guidance and mentoring for both the participants and their supervisors. In addition to the career development programs referenced above, the Agency encourages employees, including PWD

and PWTDD, to pursue leadership development through a variety of program offerings, including both individual coaching and an agency-wide mentoring program. In FY 2021, 58 SEC managers engaged in coaching with an external coach. Due to confidentiality considerations, the SEC does not track demographic information for the employees engaged in coaching opportunities. Non-supervisory offerings developed for leaders without formal authority included, for example: Empowering Your Development and Leading Without Authority (courses are designed to enhance relationship-building and maintain effective relationships for SEC leaders at all levels). In FY 2021, the SEC continued the design of a leadership evaluation, accession and development program, which places an agency-wide emphasis on ensuring that SO applicants across the Agency have the leadership skills needed to excel in an SO position. The program will improve the process for identifying and selecting future leaders by including standardized leadership assessments that screen candidates on essential leadership competencies. OHR’s Human Capital Strategy Group is developing the leadership assessments with a high level of rigor to ensure they provide a standardized, fair, and legally-compliant approach for selecting SOs. A diverse group of SOs, representing the major SEC Divisions and Offices, developed assessment content and structured rating scales to ensure a standardized evaluation of candidate performance on specific leadership competencies. Special advisors from OEEO and OMWI remain involved in the development process, reviewing content to ensure program materials and processes support fairness, diversity, and inclusion. A targeted communication effort, designed to educate SEC employees and create program awareness, will launch in FY 2022. Scheduled Division and Office meetings, LEAP sessions, and affinity group presentations are planned venues to share program information specifically emphasizing that the program offers development opportunities aligned to critical SO leadership competencies. In addition, feedback on the leadership assessments highlight individual strengths and weaknesses to focus ongoing leadership development for employees willing to self-develop in the leadership skills targeted by this program. After a pilot test of the assessments, program launch is anticipated later in 2022. In FY 2020, the EEOC conducted a technical evaluation of the SEC’s EEO and Disability Programs, and recommended, inter alia, that the SEC develop and implement a comprehensive plan to support employees with disabilities in career development and advancement opportunities, pursuant to 29 C.F.R § 1614.203(d)(1)(iii). Specifically, the EEOC recommended that the SEC ensure that a number of participants in its mentoring program be PWD and PWTDD. In response to the EEOC’s feedback, the SEC committed to reserving a number of slots in the next cycle of the Mentoring Program as it transitioned to a permanent program (with a target set for the 2022 mentee cohort). To fulfill this commitment, OHR reserved five (5) slots in the 2022 Mentoring Program cohort for employees with disabilities and collaborated with DIAC to communicate this opportunity to its membership. In addition, the SEC recognized that ensuring advancement opportunities for PWD and PWTDD remains an area of opportunity and has increased efforts to ensure full compliance with this regulation. To this end, in FY 2021, the SEC launched a cross-office working group comprised of SOs who are champions of disability inclusion, subject matter experts in the Offices of Human Resources, Equal Employment Opportunity, and Minority and Women Inclusion, and key members of the Disability Interests Advisory Committee. This working group began meeting in FY 2021 and, leveraging evidence-based data, recommended, inter alia, specific actions to increase the participation of employees with disabilities in the Agency’s career development programs. The working group explored enhanced marketing of available SEC career development programs, possible tailoring of existing SEC advancement-related programs, and creating new development programs tailored for employees with disabilities. The working group also explored available data related to other employment policies, practices, and processes in order to provide recommendations on enhancing the employment life cycle for individuals with disabilities. Participation among PWD and PWTDD in the Agency’s existing career development opportunities is provided below.

- 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		PWTDD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Internship Programs	1,382	19	4.20%	10.53%	1.16%	5.26%
Fellowship Programs	59	8	0.00%	0.00%	0.00%	0.00%
Coaching Programs	NA	NA	NA	NA	NA	NA
Detail Programs	68	12	7.35%	0.00%	2.94%	0.00%
Other Career Development Programs	NA	114	NA	11.40%	NA	0.00%
Mentoring Programs	80	30	10.00%	8.00%	3.75%	4.00%
Training Programs	18,493	18,493	11.90%	11.90%	2.25%	2.25%

- 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 Yes
- b. Selections (PWD) Answer Yes

From the Career Development Opportunities table in Section IV.B.2 above, data on the participation of PWD and PWTD in applications and selections for various programs were reviewed. For the Internship Program, 4.20% of applicants were PWD and PWD were 10.53% of selections. As selections had a substantially higher percentage of PWD than the percentage of PWD among applicants, there was no trigger for internships. For the Agency’s economist and accountant Fellows Programs, the Agency noted no difference in the participation of PWD among (external) applicants for these programs and eventual selections for positions. While 0.00% of applicants were PWD, none of the Fellows hired were PWD (0.00%). Within the Agency’s Mentoring Program (selections were on a first-come, first-served basis), the Agency found no evidence of a trigger in the participation rate among those who applied for the Mentoring Program (i.e., applicants) as compared to participation of PWD in the permanent workforce (8.91%). PWD represent 10.00% of those employees who expressed interest in the Mentoring Program and 8.00% of those selected for mentoring. Aggregate PWD participation in training programs approved on standard form 182 through the Agency’s learning management system, LEAP, exceeds their participation on rolls: 11.90% of training requiring separate approval on SF-182 were completed by PWD, compared to 8.91% of permanent employees who are PWD. No trigger was found for applications or selections. Data about detailed employees show evidence of differences disadvantaging PWD among those who applied for details and among those selected. While 8.91% of permanent staff were PWD, 7.35% of applicants for temporary promotion were PWD. None of the applicants were selected. Selection data for PWD on Other Career Development Programs indicated higher participation rates of PWD in programs for leadership development than the proportion of PWD among permanent staff. PWD were 11.40% of selectees among the consolidated selectees of the Excellence in Government, Aspiring Leaders, and Women in Leadership programs and 8.91% of permanent SEC employees. The Agency also evaluated career development data from two institutes the SEC has enterprise memberships with, the Practising Law Institute (for attorneys) and Becker (for accountants). For the Practising Law Institute, attorneys with disabilities participated at higher rates than attorneys without disabilities. The inclusion rate was 90.00% of the population of attorneys with disabilities, compared to 64.96% of attorneys without disabilities. For Becker, the inclusion rate for accountants with disabilities (13.04%) was 2.57% lower than the inclusion rate for accountants without disabilities (15.61%).

- 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 Yes
 - b. Selections (PWTD) Answer Yes

From the Career Development Opportunities table in Section IV.B.2 above, data on the participation of PWTD in various programs were reviewed for equality of employment opportunity in the applications and selections for these programs. In the Agency’s economist and accountant Fellows Programs combined, 0.00% of applicants were PWTD, thus, no PWTD were selected as Fellows in FY 2021. For the Internship Program, 1.16% of applicants were PWTD, and PWTD were 5.26% of selections. As selections had a substantially higher percentage of PWTD than the percentage of PWTD among applicants, there was no trigger for internships. Within the Agency’s Mentoring Program, the participation rate for PWTD among applicants (3.75%) exceeded the percentage of PWTD among permanent staff (1.81%). Thus, no trigger was found among applicants. The participation of PWTD among employees selected for mentoring in FY 2021 (4.00%) approximated the participation rate of PWTD in the permanent workforce. Thus, no trigger was found among selections. No evidence of a trigger was found among applicants or selections in the training programs. In the aggregate, training records show that PWTD participated in training programs approved on SF-182 through LEAP slightly above their participation on rolls; 2.25% of training opportunities requiring special approval were completed by PWTD, compared to 1.81% of permanent employees. Data about Detailed employees show evidence of a difference disadvantaging PWTD among those who applied for Temporary Promotion and among those selected. While 2.94% of applicants for temporary promotion were PWTD, PWTD represent 0.00% of permanent staff employees selected. Selection data for PWTD on Other Career Development Programs showed evidence of a trigger. Of 114 selectees among the consolidated selectees for the Excellence in Government, Aspiring Leaders, and Women in Leadership programs, no selectees were PWTD (0.00%). The Agency also evaluated career development data from two institutes the SEC has enterprise memberships with, the Practising Law Institute (for attorneys)

and Becker (for accountants). For the Practising Law Institute, attorneys with targeted disabilities participated at higher rates than attorneys without targeted disabilities. The inclusion rate was 78.95% of the population of attorneys with targeted disabilities, compared to 66.16% of attorneys without targeted disabilities. For Becker, the inclusion rate for accountants with targeted disabilities was zero (0.00%), substantially lower than the inclusion rate for accountants without targeted disabilities (15.56%).

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

Table B9-2 presents information on awards distributed to employees during the year as part of the SEC’s employee recognition program. The EEOC has suggested that agencies consider awards distribution based on inclusion rates, the degree to which each employee group is distributed across workforce indicators, e.g., awarded or separated. This analysis requires aggregating data to the person level as presented in Table B9-2. Employees who received at least one award in any particular award category are counted once in this table. Aggregated data enables inclusion to be calculated as the proportion for all PWD and PWTD who received each type or category of award. In contrast, Table B9-1 presents participation rates among awards distributed. One employee can and often does receive more than one award in a year. In Table B9-1, one employee is represented more than once if he or she received more than one award in that category. Differences in calculation should be noted when interpreting data from Tables B9-1 and B9-2. The inclusion rate for PWD was calculated by comparing the number and percent of employees with disabilities who received at least one award in each applicable program element to the number and percent of employees without a disability (this category combines persons with no disability and those who did not identify as having a disability) who received at least one award in each applicable program element. The inclusion rate for PWTD was calculated by comparing the number and percent of employees with targeted disabilities who received at least one award in each applicable program element to the number and percent of employees without a targeted disability (this category combines persons with no disability, those who did not identify as having a disability, and those with a disability that is not targeted) who received at least one award in each applicable program element. The Agency found a trigger in the distribution of time-off awards of one to ten hours for PWTD. The inclusion rate for PWTD was 21.25%, while the inclusion rate for people with no targeted disability was 24.04%. There was no trigger for PWD for time-off awards of one to ten hours. The Agency did not find a trigger in the distribution of time-off awards of 11 to 40 hours for PWTD. The inclusion rate for PWTD was 22.50%, while the inclusion rate for persons without a targeted disability was 22.89%. For cash awards, the Agency found triggers for PWD and PWTD for cash awards of \$1,000-\$1,999 and \$2,000-\$2,999. For cash awards at the \$1,000-\$1,999 level, the inclusion rate for PWD was 31.47%, and the inclusion rate for persons without disability was 38.25%. The inclusion rate for PWTD was 30.00%, and the inclusion rate for persons with no targeted disability was 37.78%. For cash awards at the \$2,000-\$2,999 level, the inclusion rate for PWD was 7.11%, and the inclusion rate for persons without disability was 9.95%. The inclusion rate for PWTD was 7.50%, and the inclusion rate for persons with no targeted disability was 9.74%. OEEO researched the observed differences in the distribution of discretionary awards, made recommendations, and is actively monitoring them as part of our barrier analysis program.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 1 - 10 hours: Awards Given	1462	34.01	32.97	26.25	35.99
Time-Off Awards 1 - 10 Hours: Total Hours	10272	221.07	233.60	186.25	229.94
Time-Off Awards 1 - 10 Hours: Average Hours	7.03	1.65	0.19	8.88	-0.19
Time-Off Awards 11 - 20 hours: Awards Given	782	15.99	17.99	16.25	15.92
Time-Off Awards 11 - 20 Hours: Total Hours	12285	253.30	282.59	247.50	254.78
Time-Off Awards 11 - 20 Hours: Average Hours	15.71	4.02	0.41	19.04	0.19
Time-Off Awards 21 - 30 hours: Awards Given	360	6.09	8.26	8.75	5.41

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 21 - 30 Hours: Total Hours	8646	146.19	198.43	210.00	129.94
Time-Off Awards 21 - 30 Hours: Average Hours	24.02	6.09	0.63	30.00	0.00
Time-Off Awards 31 - 40 hours: Awards Given	69	0.76	1.57	0.00	0.96
Time-Off Awards 31 - 40 Hours: Total Hours	2446	28.17	55.99	0.00	35.35
Time-Off Awards 31 - 40 Hours: Average Hours	35.45	9.39	0.93	0.00	11.78
Time-Off Awards 41 or more Hours: Awards Given	100	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	821	19.04	18.17	22.50	18.15
Cash Awards: \$501 - \$999: Total Amount	590557	13688.58	13054.55	16093.75	13075.80
Cash Awards: \$501 - \$999: Average Amount	719.31	182.52	18.84	894.10	1.22
Cash Awards: \$1000 - \$1999: Awards Given	1878	33.76	43.43	31.25	34.39
Cash Awards: \$1000 - \$1999: Total Amount	2313089	40503.55	53495.80	35438.75	41793.95
Cash Awards: \$1000 - \$1999: Average Amount	1231.68	304.54	32.30	1417.55	20.97
Cash Awards: \$2000 - \$2999: Awards Given	445	7.11	10.60	7.50	7.01
Cash Awards: \$2000 - \$2999: Total Amount	986196	15868.78	23471.68	16805.00	15630.25
Cash Awards: \$2000 - \$2999: Average Amount	2216.17	566.74	58.10	2800.84	-2.46
Cash Awards: \$3000 - \$3999: Awards Given	21	0.51	0.47	1.25	0.32
Cash Awards: \$3000 - \$3999: Total Amount	85189	3144.42	1778.13	7500.00	2034.71
Cash Awards: \$3000 - \$3999: Average Amount	4056.62	1572.21	98.78	7500.00	61.94
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

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 No

The Agency did not have a trigger for PWD or PWTD for performance-based pay increases.

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Total Performance Based Pay Increases Awarded	4304	97.97	97.27	100.00	97.45

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

In FY 2021, the Agency implemented a new Performance Incentive Bonus Program. This program has been designed to reward extraordinary and rare levels of performance demonstrated on a sustained basis, across multiple projects, or reflected in a significant singular achievement that required sustained effort over a period of time. The distribution cycle for awards granted for FY 2021 performance begins in FY 2022. As such, the first EEO reporting cycle for the Performance Incentive Bonus Program will be the FY 2022 MD-715 Report.

D. PROMOTIONS

1. Does your agency have a trigger involving PWD among the qualified internal applicants and/or selectees for promotions to the senior grade levels? (The appropriate benchmarks are the relevant applicant pool for qualified internal applicants and the qualified applicant pool for selectees.) For non-GS pay plans, please use the approximate senior grade levels. If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.
- a. SES
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No
 - b. Grade GS-15
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer Yes
 - c. Grade GS-14
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer Yes
 - d. Grade GS-13
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer Yes

The SEC crosswalks the Agency’s SK alternative pay plan’s senior grade levels to the General Schedule according to the following equivalencies: SES = SO and EX; GS-15 = SK-15 and SK-17; GS-14 = SK-14 and SK-16; GS-13 = SK-13. We note that the relevant applicant pools for the SK grade equivalencies of the GS-14 and GS-15 levels combine data across SK-grade levels. This combination was made to conform analyses to the format provided, though the actual RAPs for the individual SK-levels differ. Table B7 presents the relevant FY 2021 data to assess whether triggers exist with regard to promotions to senior grade levels. Of 4,148 qualified internal applications for senior grade level positions, 818 (19.72%) were submitted by PWD. No triggers were observed for qualified applicants compared to their Relevant Applicant Pools at any level. Among internal selections, differences were observed at the GS-15, GS-14, and GS-13 equivalent levels, but not the SES equivalent level. Of the 127 selections for internal promotions to senior grade levels in Table B7, 8.66% were PWD, which is lower than their availability in the QAP at 19.72%. At the GS-15 equivalent level, PWD represented 23.35% of qualified applicants, while they represented 10.87% of selections. At the GS-14 equivalent level, PWD represented 16.43% of qualified applicants, while they represented 8.06% of selections. At the GS-13 equivalent level, PWD represented 19.57% of qualified applicants, while no selections were PWD.

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

Applying the same comparisons to PWTd as described in Section IV.D.1, the Agency presents information on trigger identification for PWTd in promotions to senior grade levels. Of 4,148 qualified internal applications for senior grade level positions, 108 (2.60%) were submitted by PWTd, and 2.36% of selections were PWTd. Differences were observed in the qualified applicant pools for the GS-15, GS-14, and GS-13 equivalent levels. The following presents data for each grade level. At the SES equivalent, SO, grade level, the RAP was 1.25% PWTd, and the participation among qualified internal applicants of PWTd was 1.88%. The qualified applicant pool for PWTd was 1.88%, and selections for SO positions were 50.00% PWTd. At the GS-15 equivalent level, qualified internal applicants (2.87%) exceeded the RAP (1.24%). At this level, selections among PWTd (4.35%) also exceeded qualified applicants (2.87%). At the GS-14 equivalent level, the RAP was 1.49%, while 2.21% of the qualified internal applicants were PWTd. There were no selections among PWTd. At the GS-13 equivalent level, the Agency observed a difference involving PWTd among qualified internal applicants. The RAP was 4.98%, and the participation of PWTd among qualified internal applicants was 3.09%. The qualified applicant pool was 3.09%, and no PWTd were selected.

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 Yes

Applying the same grade equivalencies that were described in Section IV.D.1, the Agency presents information on trigger identification for PWD new hires to senior grade levels based on reviewing Table B7. Among the 290 newly-hired staff members in FY 2021 were 183 persons hired into senior grade level positions: four SOs, 12 into GS-15 equivalent positions, 89 into GS-14 equivalent positions, and 78 into GS-13 equivalent positions. Eighteen of those 183 (9.84%) newly-hired permanent staff in senior grade levels identified as PWD. The following evaluates participation of PWD in each senior grade equivalent level. As described above (see Part E, Sections III.B and III.C.2 above), the QAP from Table B7 summarizes data where the applicant self-identified with a disability and qualified for the position. Data in this table describe vacancies for permanent positions with the SEC that were posted in USAJOBS with a closing date during the fiscal year. In contrast, Table B7 also presents data on new hires onboarded during the course of the fiscal year; some of whom applied for a vacancy posted prior to the start of the fiscal year, and some of whom were onboarded from open, continuous postings. Differences may be observed in the demographic statistics of those selected versus those onboarded as new hires. Triggers comparing the composition of PWD and PWTD (See Question 5 immediately below) in applicant flow versus new hire data should be interpreted with these differences in mind. At the SES equivalent level, the QAP was 5.75% PWD, and none of the four newly-hired permanent SOs identified as PWD. At the GS-15 equivalent level, the QAP was 15.86% PWD, and 8.33% of the 12 newly-hired permanent staff for those positions identified as PWD. At the GS-14 equivalent levels, the QAP was 10.08% PWD, and 13.48% of the 89 newly-hired permanent staff were PWD. At the GS-13 equivalent level, the QAP was 9.01% PWD, while 6.41% of the 78 new hires to GS-13 equivalent positions identified as PWD.

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 Yes
- d. New Hires to GS-13 (PWTD) Answer Yes

Applying the same grade equivalencies that were described in Section IV.D.1, the Agency presents information on trigger identification for PWTD new hires to senior grade levels. The qualified applicant pool for PWTD was 2.32%. The Agency found triggers in participation of PWTD between qualified applicants and new hires at the SES, GS-15, GS-14, and GS-13 equivalent levels. More detail about each senior grade level follows in descending order by level. At the SES equivalent level, the QAP was 2.30%; no newly-hired staff members were PWTD (0.00%). At the GS-15 equivalent level, the QAP was 2.84%; no newly-hired staff members were PWTD (0.00%). At the GS-14 equivalent level, the QAP was 2.28% PWTD; 1.12% of the newly-hired GS-14 equivalent staff were PWTD. At the GS-13 equivalent level, the QAP was 2.19% PWTD, no newly-hired staff members were PWTD (0.00%).

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 No

ii. Internal Selections (PWD)	Answer	No
b. Managers		
i. Qualified Internal Applicants (PWD)	Answer	No
ii. Internal Selections (PWD)	Answer	Yes
c. Supervisors		
i. Qualified Internal Applicants (PWD)	Answer	No
ii. Internal Selections (PWD)	Answer	Yes

The SEC cross-walked the Agency’s alternative pay plan supervisory levels to the Executive, Manager, and Supervisor levels according to the following equivalencies: Executives = SO; Managers = SK-17 and the supervisory Administrative Law Judges in pay plan Administrative Law (AL); and Supervisors = employees or positions at SK-levels below SK-17 who hold supervisory status. The Agency notes that, similar to the senior grade level equivalencies, the relevant applicant pools for supervisory levels at the Agency combine data across multiple SK levels. This combination was made to conform analyses to the format provided, though the actual RAPs for the specific leadership levels differ. FY 2021 data underlying Table B8 are relevant for assessing whether triggers exist with regard to promotions to supervisory or managerial positions. Among the promotions in FY 2021 were 49 persons promoted to a leadership position at the supervisor, manager, or executive level: two SOs, 27 managers, and 20 supervisors. The following evaluates participation of PWD in each leadership level. For executives, there were no differences to the disadvantage of PWD in the qualified internal applicant pool compared to the RAP, or with respect to selections. For the manager, and supervisor levels, there were no differences to the disadvantage of PWD in the qualified internal applicant pool compared to the RAP. However, there were triggers at both of these levels with respect to selections. For managers, the qualified applicant pool was 18.78%, and selections were 7.41% PWD. For supervisors, the qualified applicant pool was 25.52%, and selections were 20.00% PWD.

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	No
ii. Internal Selections (PWTD)	Answer	No
b. Managers		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	Yes
c. Supervisors		
i. Qualified Internal Applicants (PWTD)	Answer	No
ii. Internal Selections (PWTD)	Answer	No

Applying the same grade equivalencies that were described in Section IV.D.5, the Agency presents information on trigger identification for PWTD internal promotions to supervisory positions from Table B8. Of 49 individuals selected for promotion, three (6.12%) were PWTD. At the Executive level, the RAP was 1.25% PWTD, and the participation among qualified internal applicants of PWTD was 1.88%. The qualified applicant pool for PWTD was 1.88%, and selections for Executives were 50.00% PWTD. At the manager level, the Agency observed a trigger with respect to selections for promotions. The QAP for PWTD was 1.46%, while no selections were PWTD. There were no triggers observed at the supervisor level.

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 No

Applying the same grade equivalencies that were described in Section IV.D.5, the Agency presents information on trigger identification for PWD new hires into leadership positions. Table B8 is relevant for assessing whether differences exist with regard to applicants and new hires in supervisory positions for PWD (this question) and PWTD (See the next question). A difference was found in FY 2021 new hire data for PWD at the executive and manager levels. No trigger was found at the supervisor level. Among the 290 newly-hired staff members in FY 2021 were 18 persons hired into leadership positions: four SOs, seven SK-17 managers, and seven supervisors below SK-17. Two of those 18 (11.11%) newly-hired permanent staff in leadership positions identified as PWD. The following evaluates participation of PWD in each leadership level. For executives, the QAP was 5.75% PWD, and none of the four newly-hired permanent executives identified as PWD. For managers, the QAP was 18.21% PWD, and none of the seven newly-hired managers identified as PWD. For supervisors, the QAP was 14.66%, and 28.57% PWD were newly-hired into the seven supervisory positions.

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

- a. New Hires for Executives (PWTD) Answer Yes
- b. New Hires for Managers (PWTD) Answer Yes
- c. New Hires for Supervisors (PWTD) Answer Yes

Differences were found in the new hire data for PWTD at the executive, manager, and supervisor levels. For executives, the QAP was 2.30% PWTD, and no PWTD were hired for executive positions in FY 2021. For managers, the QAP was 3.51% PWTD, and no PWTD were hired for manager positions in FY 2021. For supervisors, the QAP was 3.23% PWTD, and no PWTD were hired for supervisor positions in FY 2021.

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

The SEC maintains discretion on conversions to a career or career-conditional appointment among employees on Schedule A appointments. As a general practice, those Schedule A employees who were not converted voluntarily accepted a new Schedule A appointment within the Agency. During FY 2021, one employee was converted to the competitive service under the Schedule A hiring authority within two years of their most recent Schedule A appointment. Nine employees are currently serving on their most recent Schedule A appointment that was processed within the past two years. Five employees hired in FY 2020 or FY 2021 are

serving on an initial Schedule A appointment that has not reached the two-year threshold. One employee accepted a new Schedule A appointment in FY 2021. Three staff members were newly-hired under Schedule A during FY 2021. A review of records for other Schedule A employees, who were hired or transferred to the SEC and remain on rolls at the close of FY 2021, confirms that all were converted to the competitive service within two years of their most recent Schedule A appointment.

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 No

Data from Table B1-2 on voluntary and involuntary separations by disability were used to calculate the inclusion rates. Inclusion rates were calculated as the number of PWD who separated among all PWD in the workforce, compared to the same proportion among persons with no disability (this category is combined with those who did not self-identify as having a disability). The Agency had a trigger for voluntary separations in FY 2021. The inclusion rate on voluntary separations was 7.36% for PWD, and 4.42% for persons with no disability. The largest contributor to this difference, and the only separation type in which there was at least a one percent difference relative to persons with no disability, was retirements (3.81% PWD; 1.94% persons with no disability). The inclusion rate on involuntary separations was zero (0.00%) among permanent employees for both PWD and persons with no disability.

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	0	0.00	0.00
Permanent Workforce: Resignation	86	2.22	1.86
Permanent Workforce: Retirement	93	3.70	1.89
Permanent Workforce: Other Separations	28	1.23	0.56
Permanent Workforce: Total Separations	207	7.16	4.31

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

- a. Voluntary Separations (PWTD) Answer Yes
- b. Involuntary Separations (PWTD) Answer No

Using data from Table B1-2, the inclusion rates were calculated as the number of PWTD who separated among all PWTD in the workforce, compared to that same proportion among persons with no targeted disability (this group also includes those who did not self-identify as having a disability and those with a disability that is not targeted). The Agency had a trigger for voluntary separations in FY 2021. The inclusion rate on voluntary separations was 8.75% for PWTD, and 4.61% for persons with no targeted disability. The largest contributor to this difference, and the only separation type in which there was at least a one percent difference relative to persons with no targeted disability, was retirements (6.25% PWTD; 2.03% persons with no targeted disability). The inclusion rate on involuntary separations was zero (0.00%) among permanent employees for both PWTD and persons with no targeted disability.

Seperations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	0	0.00	0.00
Permanent Workforce: Resignation	86	2.47	1.89
Permanent Workforce: Retirement	93	6.17	1.98
Permanent Workforce: Other Separations	28	0.00	0.63
Permanent Workforce: Total Separations	207	8.64	4.49

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 SEC invites all departing employees to complete an exit survey during their last pay period on SEC rolls. This survey asks exiting employees to self-identify if they have a disability and whether or not an accommodation was needed or provided. Among 107 employees who completed the exit survey in FY 2021, 13 self-identified as having a disability (or 12%) – and five of the 13 employees reported that they were provided reasonable accommodation. In FY 2021, 63% of exit survey respondents who separated and reported a disability indicated they left the SEC due to retirement. No other separation type demonstrated a trigger. Of them, the most commonly cited primary reason for their departure was eligibility for retirement (30.77%, four employees). However, two employees (15.38%) cited promotional opportunities, and another two (15.38%) cited their relationship with their supervisor or team lead. Of the remainder, one retiree cited the Agency’s voluntary early retirement incentive, one cited pay/compensation, one cited personal circumstances, one cited a career opportunity, and one selected “other.” Of note, departing employees who self-identified as having a disability provided mixed results when responding to items on the exit survey related to diversity and inclusion when compared to employees who did not report a disability: 63.2% agreed that their workgroup was open to diverse viewpoints and backgrounds (compared to 73.7% of employees who did not report a disability); 73.7% agreed that their supervisor/team lead treated them with respect (versus 85.1%); and 52.7% agreed their co-workers fostered a cohesive work environment (versus 86.5%). However, 73.7% of persons with disabilities agreed policies and programs promoted diversity in the workplace (versus 64.9% of persons without disabilities). The results of the exit survey suggest employees who separated and indicated a disability were less satisfied with certain organizational culture issues surrounding diversity and inclusion than they were with SEC policies and programs on diversity and inclusion. The small number of separating employees who self-identified with a disability and completed the exit survey limits the ability to generalize to the broader population about the reasons why employees with disabilities leave the Agency.

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.

Information about the SEC’s Accessibility/Disability Program is posted on www.sec.gov: http://www.sec.gov/disability/sec_access.htm and www.sec.gov/accessibility/sec-accommodation-procedures.pdf. The SEC has also made available a Section 508 Resource Center to all SEC personnel. This online resource center provides links to accessibility training and resources, federal regulations and general guidance, as well as “how-to” instructions to make documents, presentations, and electronic files 508-compliant. Information specific to the accessibility of SEC facilities and technology under Sections 504 and 508 of the Rehabilitation Act is also available in a variety of sources, including 17 C.F.R. §§ 200.601 to 200.670, Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Securities and Exchange Commission (SEC 504 regulations), SEC Administrative Regulation 24-10 (SECR 24-10), Information and Communication Technology (ICT) Section 508/Accessibility Program, and SEC Administrative Regulation 11-3 (SECR 11-3), Leasing Program. In FY 2021, the SEC updated the Accessibility page of www.sec.gov with applicable complaint-filing procedures under both Sections 504 and 508 of the Rehabilitation Act and the Architectural Barriers Act. Updates included an explanation of the Rehabilitation Act and Architectural Barriers Act, informal processes for providing feedback about accessibility of facilities and technology to SEC, contact information and specific complaint processes for filing a formal claim related to accessibility, and additional resources for individuals to learn more. The SEC Administrative Regulation (SECR) and SEC Operating Procedures (SECOP) setting forth the complaint process related to Sections 504 and/or 508 and the Architectural Barriers Act were finalized in FY 2021 and posted on <http://www.sec.gov>. The SEC continues to improve upon current practices in place to ensure all Information and Communication Technology (ICT) is accessible to internal and external parties, as mandated by the Rehabilitation Act of 1973. The Agency’s testing and validation process includes dedicated resources, testing tools, documented test processes, and a remediation process. The majority of ICT products and tools are tested before they are deployed. If a product is deemed not 508-compliant, project teams are instructed to submit a Remediation Plan indicating a plan of action or timeline in which the vendor will make the respective product 508-compliant and obtain an approval from senior management before deploying. Every SEC vacancy announcement posted to USAJOBS includes information about obtaining accommodations, including alternative methods to apply. The name of SEC’s Special Programs Manager serving as the Selective Placement Program Coordinator is posted on OPM’s website. OHR has built a separate page providing more in-depth information about hiring PWD (<https://www.sec.gov/sec-disability-programs-overview>).

This page includes a link to an online form (<https://www.sec.gov/forms/ADA-4Applicants>) for requesting accommodations in the technology-enabled job application process and information on alternate methods for contacting the Disability Program at the SEC. The SEC also posts information on how to file an EEO complaint under, inter alia, Section 501 of the Rehabilitation Act at <https://www.sec.gov/eooinfo/eecomplaints.htm>.

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.

Information is posted on SEC.gov: http://www.sec.gov/disability/sec_access.htm. This page contains the required notice explaining employees' and applicants' rights under the Architectural Barriers Act, including how to file a complaint alleging violations of the Architectural Barriers Act.

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

The SEC continues to improve upon current practices in place to ensure all ICT is accessible to internal and external parties, as mandated by the Rehabilitation Act of 1973. The Agency's testing and validation process includes dedicated resources, testing tools, documented test processes, and a remediation process. The majority of ICT products and tools are tested before they are deployed. Upon completion of testing, project teams are notified of the defects and are instructed to submit, for approval, a Remediation Plan, indicating a definitive timeline in which the vendor will make the respective product 508-compliant. The Office of Public Affairs has been instrumental in educating SEC staff on the guidelines and importance of Section 508 of the Rehabilitation Act. Training courses have been offered, as well as "how to" videos that inform staff of the process with making electronic information technologies accessible to all parties. The Office of Information Technology will be active in supporting the SEC Administrative Regulation that defines roles and responsibilities of SEC staff to address formal Section 508 Complaint Procedures related to accessibility of IT programs and services.

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 SEC met its goal of processing 100% of accommodation requests within 20 business days, the timeframe specified in the Agency's policy and previously approved by the EEOC. This reflects an improvement of 15 percentage points from FY 2020 when the Agency timely processed 85% of reasonable accommodation 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.

Starting in FY 2019 and throughout FY 2021, the SEC conducted an internal review of the SEC Reasonable Accommodation Regulation (SECR 6-80) and SEC Reasonable Accommodation Operating Procedures (SECOP 6-80) by collecting input from SEC stakeholders and negotiations with the SEC's union. Subsequently, the SEC revised the reasonable accommodation policy and procedures and, as required by regulation and the Equal Employment Opportunity Commission (EEOC), submitted the draft procedures to the EEOC for approval. In March 2021, the EEOC approved the draft procedures, which included a revised timeframe to process requests for accommodation – from 20 business days to 45 business days – absent undue hardship. The SEC intends to publish in FY 2022 the revised RA policy and operating procedures. These policy and operating procedure documents ensure that employees and applicants know their right to receive a reasonable accommodation for disability-related limitations under the Rehabilitation Act, if needed, to perform the essential functions of their position, enjoy equal benefits and privileges of employment, or apply for a job at the SEC. Related operational guidance further explains stakeholder responsibilities for the

provision of disability-related accommodation, how to request an accommodation, and how such requests are processed and includes information about the interactive process, and, how requestors may seek review of decisions when a request has been denied. The Commission is finalizing these documents internally and will disseminate and train appropriate staff on the revised policy and procedures (and forms), and post a 508-compliant version of these documents on its public website at www.sec.gov, as required under the Section 501 Affirmative Action Regulations and its internal interactive portal AskHR in 2022. AskHR provides employees with information about reasonable accommodation and the processes for making requests. The SEC published additional resource information for employees, supervisors, and managers on its AskHR portal that provides a general overview and insight into its reasonable accommodation program process. Changes to RA procedures will likely necessitate updates to training, job aids, notices, and other information sources in FY 2022 and beyond. Once the program guidance is finalized and implemented, manager/supervisors, employees, and all staff with responsibilities under these procedures will be informed of the updates. The updated RA procedures will be incorporated in the mandatory New Supervisors and New Employee trainings, and the on-demand trainings available in the SEC's LEAP training platform that will be made available to Agency employees. At least annually, an announcement goes out to the workforce regarding the reasonable accommodation program to assist managers and employees in their understanding of the SEC's disability accommodation program. The SEC provides temporary assistance to employees with short-term medical conditions even when the condition does not constitute a covered disability when supervisory officials and the Disability Program Office decide that it is appropriate to do so through the SEC Temporary Medical Telework (TMT) Program. Since the SEC continued its maximum telework posture throughout FY 2021, the RA Program Office did not receive any TMT requests to process during this time period. The Agency intends to publish the revised TMT policy and related operational procedures in CY 2022. In FY 2021, the SEC conducted general training for managers and supervisors on the Rehabilitation Act, their role and responsibilities in the reasonable accommodation process to include the interactive process provision, and how to respond appropriately when an individual places them on notice of the need for reasonable accommodation. New managers and supervisors are required to attend scheduled training to obtain an in-depth overview for the provision of reasonable accommodation. This includes disseminating program-specific information during the New Employee Orientation and CLTD 307 Fundamentals of Human Resources Management course offered by the SEC University's College of Leadership and Team Development. The SEC also conducted two virtual CLTD 307 trainings in addition to the course's eLearning modules which provides real-time, scenario-based specific illustrations for supervisors and managers to heighten their awareness of the: (1) Schedule A hiring authority; (2) SEC's RA Program; (3) TMT to ensure their awareness of their role in hiring and retaining employees with temporary or permanent disabilities; (4) types of requests made by employees with disabilities; and (5) roles and responsibilities with respect to the Agency's Reasonable Accommodation Program. This training was enhanced by the Reasonable Accommodation Program Office to ensure awareness of the SEC's RA Program process and related program guidance and regulations under the Rehabilitation Act of 1973 in the pandemic virtual environment. In-depth, situation-specific training was provided as-needed to individual managers who supervise employees with disabilities. Additional information about CLTD 307 is provided earlier in this report, *supra*. Moreover, refresher on-demand training course offerings are readily available online for employees and managers through the Agency's learning platform, Learn Engage Achieve Platform (LEAP), which provides an effective overview of the Rehabilitation Act and the federal and SEC reasonable accommodation process. Year over year, the Agency continues to improve upon current business practices to ensure all information technology is accessible to internal and external parties, as mandated by Section 508 of the Rehabilitation Act of 1973. In late FY 2021, the SEC (through the collaborative efforts of OEEEO, OMWI, OHR, and the Disability Interests Advisory Committee) established a dedicated adaptive technology support contractor to increase assistive technology access and aid in the advancement of innovative approaches and accessible solutions for persons with disabilities seeking assistance as a reasonable accommodation. This will provide consistent, dedicated, and timely support for information technology accessibility to the PWD and PWTDD communities. Additionally, the Agency continues to ensure that physical work environments remain compliant with procedures under Section 504 of the Rehabilitation Act and the Architectural Barriers Act. Updates include an explanation of the Rehabilitation Act and Architectural Barriers Act, informal processes for providing feedback about accessibility of SEC facilities and technology, contact information and specific complaint processes for filing a formal claim related to accessibility, and additional resources for individuals to learn more. The SEC's Administrative Regulation and Operating Procedures setting forth the complaint process related to Sections 504 and 508 and the Architectural Barriers Act were finalized and published on the SEC intranet on April 6, 2021, and on <http://www.sec.gov>. The SEC implemented a new five-year contract vehicle with Deaf Access Solutions (DAS) for its Sign Language Interpretation Program in FY 2021. DAS provides enhanced interpretation solutions to include Communication Access Realtime Translation and Federal Relay Service to provide a more diverse pool of interpreters who can provide a greater array of support services for the Deaf/Hard-of-Hearing community. Meanwhile, the Agency procured a new reasonable accommodation program case management solution as a repository for case information and report generation. The case management system will complement the Agency's reasonable accommodation process and requirements in terms of system functionality, adaptability, and accessibility. The implementation of the system is expected to simplify case tracking, help identify any systemic delays, improve customer service by allowing employees to request reasonable accommodations personally and privately, and address the timeliness standards set by the new SEC policy which increased the processing timeframe to 45 business days, absent undue hardship. To advance RA Program maturity and success, system requirements analyses were expected to be completed in CY 2021 and full design and implementation of the system, which includes finalizing RA electronic system requirements, conducting user acceptance testing and training the SEC workforce on the new

interactive processing portal is expected to be completed in calendar year 2022. In the interim, OHR continues to find ways to strengthen the current manual tracking process, including tracking timeliness for processing RA requests, and meeting on a monthly basis with the CHCO to review and discuss timeliness and processing of all RA cases. The Agency will continue its efforts to implement the business requirements for the electronic case management system in 2022.

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.

As reflected in the section immediately above, and incorporated herein by reference, the SECOP 6-80 Reasonable Accommodation Operating Procedures includes information regarding the process for requesting PAS, the process for determining whether such services are required, and the process for denying PAS requests when it would pose an undue hardship to the Agency. Program provisions for requesting and providing decision on PAS reasonable accommodation requests are the same as the process for reasonable accommodation described in the new policy and related operating procedures and on the SEC public and internal websites. The SEC continues to use the SEC Form 2943 Request for Personal Assistance Services to capture requests, and data obtained by this form will provide the RA Program critical information that may be used to understand program adoption and effectiveness going forward. The SEC has a contract in place to support employees with targeted disabilities needing PAS services. In FY 2021, the SEC did not receive or process any requests (new or modifications) for PAS services. Consequently, the employee utilization rate remains at the FY 2019 level. The Agency will continue to monitor its current contract for personal assistant and reader services to ensure the consistent delivery of health care services and will enhance the level of support as required. During FY 2021, the Agency conducted general training for managers and supervisors on the Rehabilitation Act, their role and responsibilities in the reasonable accommodation process to include the interactive process provision, and how to respond appropriately when an individual places them on notice of the need for reasonable accommodation. New managers and supervisors are required to attend scheduled training to obtain in-depth overview for the provision of reasonable accommodation. This includes disseminating program-specific information during the New Employee Orientation and through the College of Leadership & Team Development Fundamentals of Human Resources Management course offered by the Agency’s learning office, SEC University. The CLTD 307 training provides real-time, scenario-based specific illustrations for supervisors and managers to heighten awareness about the RA Program, details general characteristics of available accommodations typically requested by employees with disabilities (e.g., PAS) and clarifies assumptions about roles and responsibilities with respect to the Agency’s reasonable accommodation program. Moreover, refresher training course offerings are readily available for employees and managers through the Agency’s SECU learning platform LEAP; the training provides an effective overview of the Rehabilitation Act, Americans with Disabilities Act, and the federal and SEC reasonable accommodation process.

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 No

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

Answer 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.

During FY 2021, the Agency did not have any findings of discrimination alleging harassment based on disability status.

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer No

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

Answer Yes

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

During FY 2021, the Agency did not have any findings of discrimination involving the failure to provide reasonable accommodation. Two formal complaints that included allegations involving the failure to provide reasonable accommodations resulted in settlement agreements.

Section VIII: Identification and Removal of Barriers

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

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

Answer No

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

Answer N/A

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

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

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

The agency did not identify a barrier.

- 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.

The agency did not identify a barrier.