

International Boundary and Water Commission

For period covering October 1, 2020 to September 30, 2021

<b>PART A</b> Department or Agency Identifying Information	<b>1. Agency</b>	<b>1.</b> International Boundary and Water Commission
	<b>1.a</b> 2nd level reporting component	
	<b>2. Address</b>	<b>2.</b> 4191 N. Mesa
	<b>3. City, State, Zip Code</b>	<b>3.</b> El Paso, TX 79902
	<b>4. Agency Code</b>   <b>5. FIPS code(s)</b>	<b>4.</b> GW00   <b>5.</b> 08041

<b>PART B</b> Total Employment	<b>1.</b> Enter total number of permanent full-time and part-time employees	<b>1.</b> 237
	<b>2.</b> Enter total number of temporary employees	<b>2.</b> 3
	<b>3. TOTAL EMPLOYMENT [add lines B 1 through 2]</b>	<b>4.</b> 240

<b>PART C</b> Agency Official(s) Responsible For Oversight of EEO Program(s)	Title Type	Name	Title
		Head of Agency	Dr. Maria-Elena Giner
	Principal EEO Director/Official	Frances Castro	EEO Director

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<b>PART D</b> List of Subordinate Components Covered in This Report	<b>Subordinate Component and Location</b> (City/State)	<b>Country</b>	<b>Agency Code</b>
<b>EEOC FORMS and Documents</b>	<b>Required</b>	<b>Uploaded</b>	
Organization Chart	Y	Y	
EEO Policy Statement	Y	Y	
Alternative Dispute Resolution Procedures	Y	Y	
Agency Strategic Plan	Y	Y	
Personal Assistance Services Procedures	Y	Y	
Reasonable Accommodation Procedure	Y	Y	
Anti-Harassment Policy and Procedures	Y	Y	
Diversity Policy Statement	N	N	
EEO Strategic Plan	N	N	
Federal Equal Opportunity Recruitment Program (FEORP) Report	N	N	
Human Capital Strategic Plan	N	N	
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	N	N	
Disabled Veterans Affirmative Action Program (DVAAP) Report	N	N	

**EXECUTIVE SUMMARY: MISSION**

The U.S. Section of the International Boundary and Water Commission (USIBWC), headed by Commissioner Dr. Maria-Elena Giner, P.E, is a federal government agency and the U.S. component of the International Boundary and Water Commission (IBWC), which applies the boundary and water treaties of the United States and Mexico and settles differences that may arise in their application.

The International Boundary and Water Commission (IBWC) is committed to Equal Employment Opportunity (EEO). It is critically important that the rich experiences, backgrounds, and skills of our diverse workforce are embraced to help us meet the diverse needs of our employees and customers to achieve the agency's mission of "providing binational solutions to issues that arise during the application of treaties between the United States and Mexico regarding boundary demarcation, national ownership of waters, sanitation, water quality, and flood control in the border region."

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

## Essential Element A: Demonstrated Commitment from Agency Leadership

During FY 2021, after Commissioner Giner joined the IBWC, she signed three policy letters: Anti-Harassment policy letter, EEO policy letter, and the EEO, Diversity and Inclusion policy letter. All policy letters were issued to reinforce the agency's commitment to EEO and diversity principles. IBWC leadership periodically brings the EEO policies to the attention of the employees to ensure affirmative implementation to educate and avoid any discrimination in employment. All employees are expected to recognize these policies and cooperate with their implementation.

The USIBWC 2021 EEO Policy Statement addresses unlawful discrimination based on race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability (mental or physical and the relationship with or perception of a disability), genetic information (including family medical history), and retaliation (for prior EEO activity).

Furthermore, every new employee received the following documents: reasonable accommodations directive, personal assistant services directive, steps in the complaints process, conflict resolution directive, anti-harassment procedures directive, and the location of the bulletin boards with the EEO poster, counselors contact information and copies of current policy letters.

## Essential Element B: Integration of EEO into the Agency's Strategic Mission

To demonstrate neutrality and commitment and leadership, the EEO Director is under direct supervision of the Agency Head. The EEO Director attended weekly meetings with the Commissioner and the executive staff.

Additionally, the EEO Officer provided mandatory and non-mandatory EEO training to all employees.

## Essential Element C: Management and Program Accountability

On December 20, 2019, IBWC Commissioner issued Commissioner's Circular to establish policy that demonstrates our commitment to the principles of equal employment opportunity, workforce diversity, and merit system principles. IBWC supervisors, managers, and executives are the leaders and role models of the agency. As such, they are expected to demonstrate their commitment to promoting these values, and to reinforce EEO, Diversity & Inclusion, and Anti-Harassment policies, to strengthen the importance of this message.

Commissioner Giner fostered an environment of open, responsive, and proactive communication and holds executives, managers, and supervisors accountable for their efforts related to integrity, respect, EEO and diversity. Her first task was for leadership to survey the workforce on every aspect related to communication, things that employees would change or improve in the agency, and other important aspects that impact the overall agency's work environment and culture.

## Essential Element D: Proactive Prevention of Unlawful Discrimination

IBWC recognizes that the EEO complaints process cannot prevent discrimination, EEO and non-EEO harassment therefore we put extra emphasis in the Agency's Anti-Harassment Program that was established by the EEO Director on February 18, 2016. Through education and enforcement, the Anti-Harassment Program has successfully addressed issues at the lowest level possible, allowing management officials to stop harassment before it becomes severe or pervasive enough that creates a hostile work environment.

The Alternative Dispute Resolutions or Conflict Resolutions Program has successfully offered mediation to 100% of EEO cases during FY 2021, resulting in no EEO discrimination complaints filed in FY 21.

## Essential Element E: Efficiency

We recognize that the IBWC is a small federal agency however, we make every effort to remain in compliance with EEO guidance. The agency has one full-time EEO Director that manages all EEO related activities and programs in a timely and

**EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F**

efficient manner, 3 collateral duty counselors that assist with EEO contacts and counseling duties, and 1 EEO collateral duty mediator that facilitates mediations for EEO and the conflict resolution program.

The EEO Office is constantly reevaluating the EEO program to ensure that complaints of discrimination are handled in the most efficient manner possible. As a small federal agency, we use Excel spreadsheet as the preferred way to track EEO contacts and complaints activity, which has helped maintain accurate records for the agency.

Through enforcement and continuous education about the Alternative Dispute Resolution/Conflict Resolution Program, executives, managers, and supervisors have supported and encouraged employees to participate in mediations resulting in issues resolved at the lowest level possible.

## Essential Element F: Responsiveness and Legal Compliance

The EEO Office has established clear and respected firewalls between its EEO functions and the different offices and personnel that support different duties for the EEO Office: Anti-Harassment Program, Disability Program, and legal sufficiency reviews.

The IBWC timely implements necessary corrective actions such as facility postings, trainings, and reviews disciplinary actions, as appropriate.

The EEO Director is responsible for ensuring that IBWC is in compliance with all civil rights laws, as well as EEOC regulations, directives, and orders. In addition, IBWC has posted all required No FEAR Act information, and provided the required training.

**EXECUTIVE SUMMARY: WORKFORCE ANALYSES**

The National Civilian Labor Force (NCLF) is the benchmark against which we measure the diversity of our workforce. The Census Bureau defines CLF as all non-institutionalized civilians employed or unemployed in the United States.

When comparing the IBWC workforce to the NCLF, we don't find any disparity, trend, or anomaly that suggests further inquiry. Due to the size and locations of the IBWC Field Offices, barrier analysis can't be conducted. However, for FY 2022, the IBWC will create an alternate benchmark that compares the IBWC Headquarters (HQs) in El Paso, TX, with the local census workforce data located 100 miles around El Paso, TX. This data does not generate a trigger because of the location of the agency field offices and jobs.

In FY 2021, the IBWC had the following workforce distribution:

**Workforce distribution by gender and race**

Men comprised 78.8% of the workforce compared to 51.79% of the CLF.

The data in Table A1 shows the workforce profile for permanent employees:

- Hispanic men comprised 54.01% of the workforce compared to 6.82% of the CLF.
- Hispanic women comprised 12.24% of the workforce compared to 6.16% of the CLF.
- White men comprised 19.83% of the workforce compared to 35.65% of the CLF.
- White women comprised 7.17% of the workforce compared to 31.82% of the CLF.
- Black or AA men comprised 2.11% of the workforce compared to 5.70% of the CLF.
- Black or AA women comprised 0.84% of the workforce compared to 6.61% of the CLF.
- Asian men comprised 1.27% of the workforce compared to 2.19% of the CLF.
- AIAN men comprised 1.69% of the workforce compared to 0.31% of the CLF.
- AIAN women comprised 0.42% of the workforce compared to 0.31% of the CLF.
- Two or more races' men comprised 0.42% of the workforce compared to 1.05% of the CLF.

Black or AA: Black or African American; AIAN: American Indian or Alaskan Native

**Workforce distribution by disability**

Section 501 of the Rehabilitation Act is a federal civil rights law that prohibits federal agencies from discriminating against job applicants and employees based on disability and requires agencies to engage in affirmative action for individuals with disabilities.

The data in table B-1 shows the IBWC permanent workforce profile by disability.

- Employees with no disability comprised 70.83% of the workforce.
- Employees who didn't identify their disability comprised 5.83% of the workforce.
- Employees with disabilities consist of 23.33% of the workforce.
- Employees with a targeted disability comprised 4.17% of the workforce; this is a steady increase since 2014, when the agency's workforce was comprised of 0.42% of employees with a targeted disability. This is also a huge accomplishment that shows that continuous education on the importance of self-identification and that training selecting officials and human resources staff on special hiring authorities like Schedule A, and forming partnerships with local entities, can and will have a significant impact on the agency's commitment to affirmative employment for individuals with disabilities.

Targeted Disabilities are developmental disabilities, traumatic brain Injury, deaf or serious difficulty hearing, blind or serious difficulty seeing, missing extremities, significant mobility impairment, partial or complete paralysis, epilepsy or other seizure disorders, intellectual disability, significant psychiatric disorder, dwarfism, and significant disfigurement.

**IBWC leadership by gender, race and disability**

The IBWC total officials and managers is comprised of 71.4% men, and 28.6% women. 76.2% of officials and managers self-identified as not having a disability, 4.8% chose not self-identified, 19.1% self-identified as having a disability, and of those 4.76% self-identifies as having a targeted disability.

**Executive positions** are comprised of 50% men and 50% females. The following is the executive positions distribution by race: Hispanic men comprised 37.50%, Hispanic women comprised 12.50%, White men comprised 12.50%, and White women

EXECUTIVE SUMMARY: WORKFORCE ANALYSES

comprised 37.50%. 100% of executives self-identified as not having disability.

**Manager positions** are comprised of 64.7% men and 35.3% females. 64.71% of managers self-identified as not having a disability, 5.88% chose not self-identified, 21.41% self-identified as having a disability, and of those 5.88% self-identifies as having a targeted disability.

**Supervisors** are comprised of 88.2% men and 11.8% women. 76.47% of supervisors self-identified as not having a disability, % 5.88 chose not self-identified, 17.65% self-identified as having a disability, and of those 5.88% self-identifies as having a targeted disability.

**Occupational categories by gender and race**

**Professional** occupations are comprised of 51.79% men and 48.21% women. Of those, 35.71% are Hispanic men, 28.57% are Hispanic women, 8.93% are White men, 14.29% are White women, 3.57% are Black or AA men, 3.57% are Black or AA women, and 1.79% are AIAN women.

**Technician** occupations are comprised of 90.91% men and 9.09% women. Of those, 59.09% are Hispanic men, 4.55% are Hispanic women, 22.73% are White men, 4.55% are White women, 9.09% are AIAN men.

**Sales Worker** occupations are comprised of 100% men. Of those, 50% are Hispanic men, and 50% are White men.

**Administrative Support Worker** occupations are comprised of 50% men and 50% women. Of those, 37.50% are Hispanic men, 31.25% are Hispanic women, 6.25% are White men, 18.75% are White women, and 6.25% are Black or AA men.

**Craft Workers, Operatives, Laborers and Helpers, and Service Workers** occupations are comprised of 100% men.

- Craft workers are comprised of 78.1% Hispanic, 18.7% White, and 3.1% Black or AA.
- Operatives are comprised of 71.1% Hispanic, 26.7% White and 2.2% AIAN.
- Laborer and Helpers are comprised of 25% Hispanic and 75% White.
- Service Workers are comprised of 83.3% Hispanic, 11.1% White and 5.6% two or more races.

The IBWC is required to only provide and analyze tables A1 to A-5 and tables B1 to B5.

**EXECUTIVE SUMMARY: ACCOMPLISHMENTS**

- During FY 2021, the IBWC increased the usage of direct hiring authorities like Schedule A, which resulted in a significant increase of people with targeted disabilities in the workforce; and through continuous education about privacy and the usage of disability codes, the agency increased the self-identification of individuals with disabilities and targeted disabilities.
- The EEO Office created a partnership with other small federal agencies and shared resources to process EEO complaints of discrimination.
- The EEO office continued its outreach efforts with local entities to promote the agency's job vacancies and hire people with disabilities and targeted disabilities.
- The EEO Office timely submits an accurate and complete No FEAR Act report to EEOC and timely posts on our public webpage the quarterly No FEAR Act data.



**EXECUTIVE SUMMARY: PLANNED ACTIVITIES**

- The EEO Office will update the agency's Reasonable Accommodations Procedures.
- The EEO Office will update the agency's Anti-Harassment Procedures.
- The EEO Office will recruit additional EEO collateral duty counselors.
- The EEO Office plans to expand its outreach effort to include Historically Black Colleges for mission-critical positions.
- The EEO Office plans to audit at least three field offices during FY 2022, for compliance with EEO.
- The agency will revamp their Diversity and Inclusion training and initiatives.
- To ensure the IBWC's Diversity and Inclusion values and to maintain effective affirmative employment programs, the IBWC will explore options to create the Federal Women's Program (FWP), Hispanic Employment Program (HEP), Person with Targeted Disabilities (PWTD), Blacks in Government (BIG), and LGBTQ+ employee support groups as a collateral duty assignments.

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**CERTIFICATION of ESTABLISHMENT of CONTINUING  
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**

[Redacted] am the  
(Insert Name Above) (Insert official title/series/grade above)

Principal EEO Director/Official for

[Redacted]  
(Insert Agency/Component Name above)

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

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

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

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

\_\_\_\_\_  
Date

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



\_\_\_\_\_  
Date

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Agency Self-Assessment Checklist



Essential Element: A Demonstrated Commitment From agency Leadership

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.1. The agency issues an effective, up-to-date EEO policy statement.			N/A	
	A.1.a. Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "Yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	X			The USIBWC 2022 EEO Policy Statement was revamped and issued to the workforce on February 8, 2022. 2/8/2022
	A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	X			The USIBWC 2022 EEO Policy Statement addresses unlawful discrimination based on race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability (mental or physical and the relationship with or perception of a disability), or genetic information (including family medical history). Also, retaliation.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.2. The agency has communicated EEO policies and procedures to all employees.				
A.2.a. Does the agency disseminate the following policies and procedures to all employees:					
A.2.a.1. Anti-harassment policy? [see MD 715, 11(A)]		X			The USIBWC has an Anti-Harassment Policy and Procedures Directive that was issued to the workforce on February 18, 2016.
A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]		X			The USIBWC has Reasonable accommodations procedures Directive. The latest version of the procedures were sent to EEOC on August 15, 2022, for their review and comments.
A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:					
A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]		X			The EEO Poster has the contact information for the EEO Collateral Duty counselors and mediators, in addition to the EEO Director's contact information. Furthermore, throughout the year the EEO Office sends reminders to the workforce of who the EEO collateral personnel is and their contact information.

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Agency Self-Assessment Checklist

A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR §1614.102(b)(5)]	X		The EEO Office issues written material to all new employees during their New Employee Orientation, and annually thereafter.
A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	X		The EEO Office issues written material to all new employees during their New Employee Orientation, and annually thereafter. <a href="https://www.ibwc.gov/Organization/eo.html">https://www.ibwc.gov/Organization/eo.html</a> and chrome-extension://efaidnbmnnnibpca <a href="https://www.ibwc.gov/Files/SD_I_07027_EEO">https://www.ibwc.gov/Files/SD_I_07027_EEO</a>
A.2.c. Does the agency inform its employees about the following topics:			
A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If “yes”, please provide how often and the means by which such training is delivered.	X		Mandatory training for new employees takes place whiting their 90 days in the agency, and annually thereafter.
A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If “yes”, please provide how often.	X		Mandatory training for new employees takes place whiting their 90 days in the agency, and annually thereafter.
A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If “yes”, please provide how often.	X		Mandatory training for new employees takes place whiting their 90 days in the agency, and annually thereafter.
A.2.c.4. Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If “yes”, please provide how often.	X		Mandatory training for new employees takes place whiting their 90 days in the agency, and annually thereafter.

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<p>A.2.c.5. Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR §2635.101(b)] If “yes”, please provide how often.</p>		<p>X</p>		<p>Mandatory training for new employees takes place within their 90 days in the agency, and annually thereafter.</p>	
<p> <b>Compliance Indicator</b></p>	<p>A.3. The agency assesses and ensures EEO principles are part of its culture.</p>	<p><b>Measure Has Been Met</b></p>			<p><b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b></p>
<p> <b>Measures</b></p>		<p>Yes</p>	<p>No</p>	<p>N/A</p>	
<p>A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If “yes”, provide one or two examples in the comments section. .</p>		<p>X</p>	<p>At this time, the USIBWC does not provide recognition to employees, supervisors, managers and units that demonstrate superior accomplishments in EEO.</p>		
<p>A.3.b. Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]'</p>		<p>X</p>	<p>The EEO Office uses the results of the Federal Employee Viewpoint Survey to monitor the agency employee's perception of EEO principles in the workplace.</p>		

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Agency Self-Assessment Checklist

Essential Element: B Integration of EEO into the agency's Strategic Mission

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.1. The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.				
	B.1.a. Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	X			As of FY 21, Commissioner Maria-Elena Giner is the immediate supervisor of the Agency's EEO Director.
	B.1.a.1. If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.			X	The EEO Director reports directly to the Agency head.
	B.1.a.2. Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	X			The EEO Office is part of the USIBWC Office of the Commissioner Staff. The organizational chart clearly defines this reporting structure.
	B.1.b. Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	X			The EEO Office participates weekly on the Executive Staff meetings, which is the way to inform senior management officials of effectiveness, efficiency and legal compliance of the agency's EEO program. Additionally, the EEO Director meets on a monthly basis with the Head of the Agency, Commissioner Giner.



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<p>B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.</p>			<p>X The EEO Office will present the "State of the Agency" to the executive staff after the report has been signed by the head of the agency.</p>
<p>B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]</p>	<p>X</p>		<p>At this time the EEO Director has limited participation in any senior-level staff meetings concerning personnel and budget, but it does participate in meetings concerning technology. The EEO Director only participates in workforce issues that involve EEO allegations.</p>

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.2. The EEO Director controls all aspects of the EEO program.				
	B.2.a. Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			Yes, the EEO Director is responsible for the implementation of the Agency's Affirmative Employment Program. During FY 21, the EEO Director reviewed all new agency policies and procedures to ensure there were no barriers to discrimination.
	B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			The EEO Director is responsible for overseeing the entire EEO complaints process, to include counseling.
	B.2.c. Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			The EEO Director is responsible for overseeing the entire EEO complaints process, to include EEO investigations.
	B.2.d. Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			The EEO Director is responsible for overseeing the entire EEO complaints process, including drafting and issuing final agency decisions.
	B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			The EEO Director is fully responsible for ensuring that the agency fully complies with EEOC orders.

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Agency Self-Assessment Checklist

<p>B.2.f. Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]</p>		X		<p>The EEO Director is responsible for evaluating the EEO program. Recommendations have been provided to the agency head.</p>	
<p>B.2.g. If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (c)(3)]</p>			X	<p>The USIBWC doesn't have subordinate components.</p>	
<p> <b>Compliance Indicator</b></p>	<p>B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.</p>	<p><b>Measure Has Been Met</b></p>			<p><b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b></p>
<p> <b>Measures</b></p>		Yes	No	N/A	
<p>B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]</p>		X			
<p>B.3.b. Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.</p>		X		<p>Continue to implement equal opportunity, diversity and inclusion programs and processes to proactively prevent discrimination, achieve more equitable and inclusive work environments, and more effectively address equal opportunity concerns.</p>	

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.4. The agency has sufficient budget and staffing to support the success of its EEO program.				
	B.4.a. Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:				
	B.4.a.1. to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	X			The EEO Director conducts self-assessment of the agency's EEO program to identify possible EEO program deficiencies.
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			The EE Office has qualified staff to effectively manage its reasonable accommodations program.
	B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	X			The EEO Office has qualified staff to ensure timely and complete compliance with EEOC orders.
	B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	X			The agency has the qualified staff to conduct a thorough barrier analysis of its workforce.
	B.4.a.3. to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR §§ 1614.102(c)(5); 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	X			The IBWC has qualified staff and funding to timely, thoroughly, and fairly process EEO complaints.
	B.4.a.4. to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	X			The EEO Office has qualified staff and funding to provide all supervisors and employees with training on the EEO program.
	B.4.a.5. to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]	X			The IBWC has qualified staff and funding to audit its field offices.

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B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	X		The IBWC has staff and funding to publish and distribute EEO materials.
B.4.a.7. to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)] If not, please identify the systems with insufficient funding in the comments section.	X		The IBWC has funding to maintain accurate data collection and qualified staff to track complaints data, workforce demographics and applicant flow data.
B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women's Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]		X	The agency is exploring options to supplement these duties.
B.4.a.9. to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I; EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	X		The HRO manages the IBWC's Anti-Harassment program.
B.4.b. Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	X		The EEO Office has a separate budget.
B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	X		The duties and responsibilities of the EEO Director are clearly identified.
B.4.d. Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II) (A) of MD-110?	X		The agency ensures that any EEO collateral duty or contract personnel are up-to-date with their training requirements.
B.4.e. Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	X		The agency ensures that any EEO collateral duty or contract personnel are up-to-date with their training requirements.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills				
B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:					
	B.5.a.1. EEO complaint process? [see MD-715(II)(B)]	X			Managers and supervisors receive annual training on EEO complaints process.
	B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]	X			Managers and supervisors receive annual training on reasonable accommodations procedures.
	B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]	X			Managers and supervisors receive annual training on the anti-harassment program.
	B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	X			Managers and supervisors receive annual training on different skills, as identified and needed.
	B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	X			Managers and supervisors receive annual training on conflict resolution.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.6. The agency involves managers in the implementation of its EEO program.				
B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]		X			The IBWC executives are informed and encourage the participation of their employees in Special Emphasis Programs and events.
B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]		X			As requested, Executives participate in barrier analysis.
B.6.c. When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]		X			As needed, EEO requests the assistance on executive personnel when developing EEO action plans.
B.6.d. Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR §1614.102(a)(5)]		X			Executives implement EEO action plans and the agency incorporates action plans into the agency's strategic plan.

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Essential Element: C Management and Program Accountability



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.1. The agency conducts regular internal audits of its component and field offices.			N/A	
C.1.a. Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.		X			The EEO Office is constantly assessing it's field offices for possible program deficiencies.
C.1.b. Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.			X		The IBWC field offices are too small therefore it's not possible to do barrier analysis on them.
C.1.c. Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]		X			Field offices fully comply with any recommendations resulting from a field audit.



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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.2. The agency has established procedures to prevent all forms of EEO discrimination.				
	C.2.a. Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	X			The IBWC's Anti-Harassment Program was established in 2016.
	C.2.a.1. Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	X			The agency's Anti-Harassment Program requires corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment.
	C.2.a.2. Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]	X			The EEO Office is the owner of the Anti-Harassment Program and the HR Offices receives and processes any complaints under this program. The EEO Director doesn't make decisions on these complaints.
	C.2.a.3. Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	X			The IBWC uses the Anti-Harassment Program to process EEO and non-EEO harassment complaints received, besides the EEO complaint process.
	C.2.a.4. Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [See Enforcement Guidance, V.C.]	X			EEO Officials informed every person that alleges harassment during their EEO counseling, that the Agency has an Anti-Harassment Program.

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<p>C.2.a.5. Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see Complainant v. Dep't of Veterans Affairs, EEOC Appeal No. 0120123232 (May 21, 2015); Complainant v. Dep't of Defense (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.</p>	<p>X</p>		<p>The IBWC promptly looks into allegations of harassment that have been brought to the supervisor or management's attention.</p>
<p>C.2.a.6. Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]</p>	<p>X</p>		<p>The EEO training includes examples of disability-based harassment.</p>
<p>C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR §1614.203(d)(3)]</p>	<p>X</p>		<p>The IBWC's Reasonable Accommodations procedures was updated and approved by EEOC.</p>
<p>C.2.b.1. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR §1614.203(d)(3)(D)]</p>	<p>X</p>		<p>The EEO Director is the point of contact to process requests for reasonable accommodations; the decisions are made by the requester's supervisor.</p>
<p>C.2.b.2. Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]</p>	<p>X</p>		<p>The EEO Director is the point of contact to process requests for reasonable accommodations; the decisions are made by the requester's supervisor.</p>
<p>C.2.b.3. Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR §1614.203(d)(1)(ii)(B)]</p>	<p>X</p>		<p>The HRO makes sure that every job announcement and candidates attending an interview are aware of their rights to request a reasonable accommodation.</p>
<p>C.2.b.4. Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR §1614.203(d)(3)(i)(M)]</p>	<p>X</p>		<p>The EEO Director processes request for reasonable accommodation within 5 days of receiving any requested medial information.</p>

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<p>C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If “no”, please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.</p>	<p>X</p>		<p>The EEO Director processes all requests within the internal time limits.</p>
<p>C.2.c. Has the agency established procedures for processing requests for personal assistance services that comply with EEOC’s regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR §1614.203(d)(6)]</p>	<p>X</p>		<p>The IBWC has established procedures to request PAS.</p>
<p>C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.</p>	<p>X</p>		<p>chrome-extension://efaidnbmnnnibpqa https://www.ibwc.gov/Files/SD.I.07029_Personal_A https://www.ibwc.gov/Organization/eo.html</p>

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.				
	C.3.a. Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	X			All managers and supervisors are required to have an EEO element on their performance appraisal.
	C.3.b. Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:				
	C.3.b.1. Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]	X			Managers and supervisors are required to resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings.
	C.3.b.2. Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]	X			Managers and supervisors are required to ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators.
	C.3.b.3. Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]	X			Managers and supervisors are required to ensure a workplace that is free from all forms of discrimination, including harassment and retaliation.

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<p>C.3.b.4. Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]</p>	<p>X</p>		<p>Managers and supervisors are required to ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees.</p>
<p>C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]</p>	<p>X</p>		<p>Managers and supervisors are required to provide religious accommodations when such accommodations do not cause an undue hardship</p>
<p>C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [ see 29 CFR §1614.102(a)(8)]</p>	<p>X</p>		<p>Managers and supervisors are required to provide disability accommodations when such accommodations do not cause an undue hardship</p>
<p>C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]</p>	<p>X</p>		<p>Managers and supervisors are required to support the EEO program in identifying and removing barriers to equal opportunity.</p>
<p>C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]</p>	<p>X</p>		<p>Managers and supervisors are required to support the anti-harassment program in investigating and correcting harassing conduct.</p>

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<p>C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]</p>	<p>X</p>		<p>Managers and supervisors are required to comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority.</p>
<p>C.3.c. Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]</p>	<p>X</p>		<p>The EEO Director makes remedial or disciplinary actions recommendations to the IBWC Commissioner regarding managers and supervisors who have failed in their EEO responsibilities.</p>
<p>C.3.d. When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]</p>	<p>X</p>		<p>Recommendations are evaluated and regularly implemented.</p>

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.4. The agency ensures effective coordination between its EEO program and Human Resources (HR) program.				
	C.4.a. Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	X			The HR Director and the EEO Director meet as needed, to address any personnel programs, policies, and procedures conform that doesn't conform to EEOC laws, instructions, and management directives.
	C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]	X			The EEO Director has timelines to review different processes and or programs to identify potential systematic barriers.
	C.4.c. Does the EEO office have timely access to accurate and complete data (e.g., demographic data for the workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]		X		The EEO Office was granted access to data in 2022. Previous data received by the EEO Office was incorrect.
	C.4.d. Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	X			The HR office provides information almost immediately upon request.
	C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:				
	C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	X			The EEO office collaborates with the HR office, if needed.
	C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	X			The EEO office collaborates with the HR office on outreach and recruiting initiatives.

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C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X			The EEO office collaborates with the HR office on training for managers and employees.			
C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	X			The HR office collaborates with the EEO office in removing barriers to equal opportunity in the workplace.			
C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]	X			As requested, the HR office collaborates with the EEO office in preparing the MD0715 report.			
 <b>Compliance Indicator</b>	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.			<b>Measure Has Been Met</b>			<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>							
C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]	X						
C.5.b. When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	X			There were no individuals disciplined or sanctioned this FY.			
C.5.c. If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct (e.g., post mortem to discuss lessons learned)? [see MD-715, II(C)]	X						



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 Compliance Indicator		Measure Has Been Met			
 Measures		Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
	C.6. The EEO office advises managers/supervisors on EEO matters.				
	C.6.a. Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.	X			The EEO Office provides management/supervisory officials with regular EEO updates.
	C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	X			EEO Officials are readily available to answer any questions or concerns from managers and supervisors.

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Essential Element: D Proactive Prevention

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.				
D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]		X			The agency uses the MD-715 data tables, complaint/grievance data, exit surveys, climate surveys and others to identify triggers in the workplace.
D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]		X			Yes, the agency uses these documents.
D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]			X		The EEO Office conducts exit interviews however the interview does not include questions on how to improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)				
	D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	X			The EEO Director reviews different actions to identify triggers that can lead to possible barriers.
	D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	X			The EEO Director reviews every new directive and policies before it's approved and signed by the Commissioner.
	D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	X			The EEO Director participates in meeting where realignments are considered.
	D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.	X			The EEO Director has access and reviews different information to identify any barriers.
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	D.3. The agency establishes appropriate action plans to remove identified barriers.				
	D.3.a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	X			The IBWC immediately takes action to address any identified barriers.
	D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]	X			n/a
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	X			n/a

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.				
	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR § 1614.203(d)(4)] If yes, please provide the internet address in the comments.	X			As of FY 2021, the agency failed to post its affirmative action plan however it's being corrected for FY 2022.
	D.4.b. Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR § 1614.203(d)(1)(i)]	X			The Agency's Human Resources and the EEO offices participate in career fairs and have form partnerships with local and State entities that assist people with disabilities . As requested, we provide training and assistance to every individual that requests and needs it.
	D.4.c. Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR § 1614.203(d)(1)(ii)(A)]	X			Yes, the EEO and HRO offices address every disability related question received from the public within 3 hours of receiving it.
	D.4.d. Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR § 1614.203(d)(7)(ii)]	X			Besides attending career fairs and forming partnerships with local entities, the IBWC uses special hiring authorities that have helped us surpassed the federal goal of people with disabilities and targeted disabilities in the agency.

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Agency Self-Assessment Checklist

Essential Element: E Efficiency

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.				
	E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	X			The EEO Office provides counseling within 30 calendar days.
	E.1.b. Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?	X			EEO Counselors provide rights and responsibilities memo to aggrieved employees before counseling begins.
	E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?	X			The EEO Director issues acknowledgment letters within 5 calendar days from the receipt of a formal complaint.
	E.1.d. Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.	X			The EEO Director issues a decision to accept or dismiss a complaint within 15 calendar days from receiving formal complaint or a clarification from a formal complaint.
	E.1.e. Does the agency ensure that all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?	X			The IBWC ensures that all employees fully cooperate with the EEO process.
	E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?	X			The agency completes investigations within established guidelines.
	E.1.g. If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?	X			The agency has completed investigations in a timely manner.

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Agency Self-Assessment Checklist

E.1.h. When the complainant did not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?	X		The EEO Director issues FADs within 45 calendar days from the complainants receipt of an option notice.
E.1.i. Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?	X		The EEO Director issues FADs within the timelines given by an administrative judge.
E.1.j. If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.	X		The agency has incorporated guidelines into SOWs to address any poor work or delays encountered when working to contractors.
E.1.k. If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]	X		The EEO Director communicates with collateral duty staff supervisors to address any poor work product or delays in processing EEO duties.
E.1.l. Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]	X		The EEO Director submits filed via FEDSEP.

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Agency Self-Assessment Checklist



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.2. The agency has a neutral EEO process.				
E.2.a. Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If "yes", please explain.		X			The integrity of the EEO complaints process is of utmost importance, therefore the IBWC has a clear separation between its EEO complaint program and its defensive function. The EEO Director doesn't process the agency's defense function.
E.2.b. When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/ location of the attorney who conducts the legal sufficiency review in the comments column.		X			The attorney/ agency representative does not conduct legal sufficiency reviews.
E.2.c. If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]		X			The agency does not rely on the agency's defense attorney for conducting legal sufficiency reviews for the EEO office.
E.2.d. Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]		X			The IBWC ensures that the agency representative does not intrude in the EEO counseling, investigation or FADs.
E.2.e. If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? [see EEOC Report, Attaining a Model Agency Program: Efficiency (Dec. 1, 2004)]		X			The EEO Director has an internal SOP that gives 5 calendar days to the attorney to do a legal sufficiency review.



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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.				
	E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	X			The agency has an ADR/conflict resolutions program for all stages of the EEO process.
	E.3.b. Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]	X			The ADR Directive requires managers and supervisors to participate in ADR once it has been offered.
	E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]	X			The IBWC has an excellent ADR program and it's constantly educating employees about the benefits of ADR. In FY 2021, we had 100% participation where ADR has been offered.
	E.3.d. Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]	X			The EEO Director works with the legal and HR offices to ensure that a management official with settlement authority is accessible during the dispute resolution process.
	E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]	X			Yes, this would create a conflict of interest.
	E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	X			The EEO Director periodically reviews the effectiveness of the ADR program.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program.				
E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data:					
E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]		X			The EEO Office collects and monitors complaint activity.
E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]		X			The EEO Office was granted access to collect, monitor and analyze the race, national origin, sex, and disability status of agency employees.
E.4.a.3. Recruitment activities? [see MD-715, II(E)]		X			As s small agency we monitor collectively our recruitment activity efforts.
E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]		X			We are currently collecting and reviewing external and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status.
E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]		X			The EEO Director has systems in place to track and monitor the timely processing reasonable accommodations.
E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]		X			The HRO has systems in place to monitor the processing of complaints under the anti-harassment program.

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E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]		X			The IBWC has systems in place to re-survey the workforce, as needed.
 <b>Compliance Indicator</b>	E.5. The agency identifies and disseminates significant trends and best practices in its EEO program.	<b>Measure Has Been Met</b>			<b>For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report</b>
 <b>Measures</b>		Yes	No	N/A	
E.5.a. Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			The EEO Director is responsible for monitoring trends in the EEO program.
E.5.b. Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			The EEO Director is part of the Small Federal Agencies EEO Committee and has created partnerships with other small federal agencies to share and adopt best practices.
E.5.c. Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]		X			At least annually, the EEO Director reaches out to other small federal agencies to compare our EEO Programs.

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Agency Self-Assessment Checklist



Essential Element: F Responsiveness and Legal Compliance

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.				
	F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	X			The EEO Director is responsible for ensuring that agency official comply with EEOC orders and FAD.
	F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	X			The EEO Director is responsible for ensuring the timely, accurate, and complete compliance with resolutions/settlement agreements.
	F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	X			The EEO Director is responsible for ensuring the timely processing of any monetary relief.
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X			The EEO Director has procedures in place to process any forms of relief promptly.
	F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX) (H)]	X			The IBWC holds accountable anyone identified as the compliance officer for producing poor work product or delaying the process.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.				
	F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	X			The IBW responds and fully complies with EEO orders in a timely manner.
	F.2.a.1. When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	X			The EEO Director forwards the complaint file to EEOC-FEDSEP within 30 calendar days from receiving a hearing request.
	F.2.a.2. When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	X			The IBWC ensures timely compliance with any orders of relief from EEOC.
	F.2.a.3. When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	X			The EEO Office forwards the investigative file to EEOC's Office of Federal Operations via FEDSEP.
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	X			The EEO Office promptly provides EEOC with any requested documentation.

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 Compliance Indicator		Measure Has Been Met			
 Measures		Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	F.3. The agency reports to EEOC its program efforts and accomplishments.	X			The EEO Director submits the annual No FEAR Act report to EEOC within established timelines.
F.3.b. Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]		X			The EEO Director ensures that the quarterly No FEAR Act report is posted in the agency's public website.

Essential Element:  Other

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Plan to Attain Essential Elements

PART H.1

Brief Description of Program  
Deficiency:

A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If "yes", provide one or two examples in the comments section. .

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Plan to Attain Essential Elements

PART H.2

Brief Description of Program  
Deficiency:

B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women's Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]



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Plan to Attain Essential Elements

PART H.3

Brief Description of Program  
Deficiency:

C.4.c. Does the EEO office have timely access to accurate and complete data (e.g., demographic data for the workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]

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Plan to Attain Essential Elements

PART H.4

Brief Description of Program  
Deficiency:

C.1.b. Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.

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Plan to Attain Essential Elements

PART H.5

Brief Description of Program  
Deficiency:

D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]

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**Plan to Eliminate Identified Barriers**

**MD-715 – Part J**  
**Special Program 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 percentage of PWD in the GS-1 to GS-10 cluster was 13.33%, which is above the goal of 12%. No triggers were identified in cluster GS-1 to GS-10 on PWD. The percentage of PWD in the GS-11 to SES cluster was 7.92%, which is below the goal of 12%.

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

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

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

The percentage of PWTD in the GS-1 to GS-10 cluster was 12.5%, which is above the goal of 2%. The percentage of PWTD in the GS-11 to SES cluster was 25%, which is above the goal of 2%. No triggers were identified in cluster GS-1 to SES on PWTD.

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

The EEO Director communicated the numerical goals wo the agency managers and supervisors during the annual managers training.

**Section II: Model Disability Program**

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

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

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

Answer Yes

The EEO Director serves as the Disability Program manager, in addition to managing the reasonable accommodations program. The Human Resources staff assists in recruiting and hiring PWD and PWTD.

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

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Processing applications from PWD and PWTB	2	0	0	Ms. Jennifer Rife, Senior HR Specialist jennifer.rife@ibwc.gov loretta.palmer@ibwc.gov
Special Emphasis Program for PWD and PWTB	1	0	0	Ms. Frances Castro, EEO Director frances.castro@ibwc.gov
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Ms. Frances Castro, EEO Director frances.castro@ibwc.gov
Processing reasonable accommodation requests from applicants and employees	1	0	0	Ms. Frances Castro, EEO Director frances.castro@ibwc.gov
Section 508 Compliance	1	0	0	Mr. Zenon Mora, Chief of Information & Maintenance Division z.mora@ibwc.gov
Architectural Barriers Act Compliance	1	0	0	Ms. Frances Castro, EEO Director frances.castro@ibwc.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

The EEO Director received OPM training: A roadmap for success: hiring, retaining, and including people with disabilities training, and she reviewed the EEOC The ABCs of Schedule A for the Disability Program Manager. She also facilitates the reasonable accommodations and Schedule A hiring authority trainings for managers and supervisors.

**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 International Boundary and Water Commission, United States Section, has provided sufficient funding and other resources to successfully implement the disability program.

**Section III: 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 PWTB

**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 EEO Director attended outreach events to increase awareness to disability and to educate students, recent graduates with disabilities and people reentering the workforce (rehabilitation) regarding the employment opportunities and hiring flexibilities within the USIBWC. The EEO Director and the HR Specialists maintained a talent database of individuals with disabilities who are eligible to be appointed under the hiring authority that takes disability into account. The Human Resources Specialists encourage selecting officials and department managers to interview qualified applicants with disabilities for vacant positions and they assist in educating on the special hiring authorities. The EEO Director and the Lead HR Specialists are certified OPM Selective Placement Coordinators for the USIBWC.

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 PWTB for positions in the permanent workforce

The EEO Director and the Human Resources Office encourages executives, managers, and supervisors to use Schedule A and direct hiring authorities for veterans with disabilities to fill vacancies with qualified personnel. Furthermore, both offices collaborate to educate and assist applicants who have questions or need assistance on how to apply using the Schedule A hiring authority.

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

When an applicant applies for a vacancy using a hiring authority that takes disability into account, the EEO Director and any HR personnel forwards the resume to the HR Specialist in charge of such position; they analyze the qualifications to determine eligibility prior to forwarding the resume to the hiring manager for consideration. Only resumes that meet the minimal qualifications for the position are sent to the hiring manager.

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

Answer Yes

The Schedule A hiring authority is part of the managers and supervisors training that the EEO Director conducts annually to all managers. Additionally, she provides a copy of "The ABC's for the Hiring Manager" manual to selecting officials.

## 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 EEO Director established and maintains partnerships with local non-profit and state entities. In FY 23, the EEO Director will collaborate with colleges and universities nationwide to conduct informational sessions with their students with disabilities for mission essential and STEM positions.

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

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

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

The agency did not conduct a barrier analysis to identify triggers with PWD and/or PWTD among the new hires in the permanent workforce during the reporting period.

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

a. New Hires for MCO (PWD) Answer N/A  
b. New Hires for MCO (PWTD) Answer N/A

Applicant data was not available.

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

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

Applicant data was not available for 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 N/A

Promotion data unavailable for MCO positions.

**Section IV: 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.

The agency's reasonable accommodation procedures are posted on the agency's public website, internal shared drive and it's posted in the agency's common areas. All job announcements are announced via USAJOBS with instructions on how to request an accommodation to apply for vacancies and with point of contacts for different hiring authorities. Additionally, the EEO Director sends an annual email educating the workforce on the important of self-identification.

**B. CAREER DEVELOPMENT OPPORTUNITES**

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

The IBWC doesn't have a career development program.

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

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (#)	Selectees (#)	Applicants (#)	Selectees (#)
Fellowship Programs	0	0	0	0	0	0
Other Career Development Programs	0	0	0	0	0	0
Internship Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Coaching Programs	0	0	0	0	0	0
Training Programs	0	0	0	0	0	0
Detail Programs	0	0	0	0	0	0

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

a. Applicants (PWD) Answer N/A

b. Selections (PWD) Answer N/A

The IBWC doesn't have a career development program.

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

a. Applicants (PWTD) Answer N/A

b. Selections (PWTD) Answer N/A

The IBWC doesn't have a career development program.

**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 No

b. Awards, Bonuses, & Incentives (PWTD) Answer No



Awards data was not available.

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

- a. Pay Increases (PWD) Answer No
- b. Pay Increases (PWTD) Answer No

Quality step increases or performance-based pay increases data was not available.

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

The IBWC doesn't have other types of employee recognition programs,

### 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 N/A
  - ii. Internal Selections (PWD) Answer N/A
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWD) Answer N/A
  - ii. Internal Selections (PWD) Answer N/A
- c. Grade GS-14
  - i. Qualified Internal Applicants (PWD) Answer N/A
  - ii. Internal Selections (PWD) Answer N/A
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWD) Answer N/A
  - ii. Internal Selections (PWD) Answer N/A

Applicant data was not available. EEO Director will review data for FY 22 report.

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 N/A
  - ii. Internal Selections (PWTD) Answer N/A
- b. Grade GS-15
  - i. Qualified Internal Applicants (PWTD) Answer N/A
  - ii. Internal Selections (PWTD) Answer N/A
- c. Grade GS-14
  - i. Qualified Internal Applicants (PWTD) Answer N/A
  - ii. Internal Selections (PWTD) Answer N/A
- d. Grade GS-13
  - i. Qualified Internal Applicants (PWTD) Answer N/A
  - ii. Internal Selections (PWTD) Answer N/A

Applicant data was not available. EEO Director will review data for FY 22 report.

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

- |                             |        |     |
|-----------------------------|--------|-----|
| a. New Hires to SES (PWD)   | Answer | N/A |
| b. New Hires to GS-15 (PWD) | Answer | N/A |
| c. New Hires to GS-14 (PWD) | Answer | N/A |
| d. New Hires to GS-13 (PWD) | Answer | N/A |

Applicant data was not available. EEO Director will review data for FY 22 report.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWTB 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 (PWTB)   | Answer | N/A |
| b. New Hires to GS-15 (PWTB) | Answer | N/A |
| c. New Hires to GS-14 (PWTB) | Answer | N/A |
| d. New Hires to GS-13 (PWTB) | Answer | N/A |

Applicant data was not available. EEO Director will review data for FY 22 report.

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

- |  |        |     |
|--|--------|-----|
| a. Executives                          |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |
| b. Managers                            |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |
| c. Supervisors                         |        |     |
| i. Qualified Internal Applicants (PWD) | Answer | N/A |
| ii. Internal Selections (PWD)          | Answer | N/A |

Applicant data was not available. EEO Director will review data for FY 22 report.

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

- |   |        |     |
|---|--------|-----|
| a. Executives                           |        |     |
| i. Qualified Internal Applicants (PWTB) | Answer | N/A |
| ii. Internal Selections (PWTB)          | Answer | N/A |
| b. Managers                             |        |     |
| i. Qualified Internal Applicants (PWTB) | Answer | N/A |
| ii. Internal Selections (PWTB)          | Answer | N/A |
| c. Supervisors                          |        |     |
| i. Qualified Internal Applicants (PWTB) | Answer | N/A |
| ii. Internal Selections (PWTB)          | Answer | N/A |

Applicant data was not available. EEO Director will review data for FY 22 report.

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

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

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

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

Applicant data was not available. EEO Director will review data for FY 22 report.

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

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

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

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

Applicant data was not available. EEO Director will review data for FY 22 report.

## Section V: 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 CFR § 213.3102(u)(6)(i))? If "no", please explain why the agency did not convert all eligible Schedule A employees.

Answer N/A

In the FY 21 reporting period, the agency did not have any eligible Schedule A employees with a disability to convert into the competitive service after two years of satisfactory services.

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 No

b. Involuntary Separations (PWD) Answer No

Data was not available. EEO Director will review data for FY 22 report.

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

a. Voluntary Separations (PWTB) Answer No

b. Involuntary Separations (PWTB) Answer No

Data was not available. EEO Director will review data for FY 22 report.

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

The agency's exit interviews did not included questions related to PWD or PWTB therefore the information was not available. The EEO Director, in collaboration with the Human Resources Office will develop a plan to integrate exit interviews and other data sources to assess this trigger.

### B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

<https://ibwc.gov/Organization/Compliance.html>

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

<https://ibwc.gov/Organization/Compliance.html>

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 EEO Director will use the agency's Special Emphasis, Diversity and Inclusion committee as a mechanism to monitor, update and provide guidance on web content and architecture barriers.

### 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.)

For FY 2021, the average processing time for initial request was 5 days.

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

The agency makes every effort to process requests for reasonable accommodations within 10 calendar days from receiving any medical document required per request, or from the date the requests was made if medical information was not needed. After the EEO Director reviews the requests, managers and supervisors make the decision to whether accept or dismiss the request. During FY 21, the agency did not received any EEO complaints for for discriminatory violations for the reasonable accommodation program.

### 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.

The agency was unable to assess the effectiveness of the policies, procedures, or practices to implement the PAS requirement because the agency did not receive any PAS requests.

## Section VI: EEO Complaint and Findings Data

### A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer No

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

Answer No

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

The Agency did not have any findings of discrimination alleging harassment based on disability status during FY 21.

### B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer No

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

Answer No

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

The Agency did not have any findings of discrimination alleging harassment based on disability status during FY 21.

### Section VII: 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.

n/a

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

n/a

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

n/a