

Recruiting, Hiring, and Retaining People with Disabilities



U.S. Department of Commerce Operational Plan

February 2011

Approved by:

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FEB 28, 2011

Date

INTRODUCTION

On July 26, 2010, President Obama issued Executive Order (EO) 13548, which directs executive departments and agencies to improve their efforts to employ Federal workers with disabilities and targeted disabilities through increased recruitment, hiring, and retention of these individuals. The Department of Commerce (Commerce) is committed to making the agency a model employer for people with disabilities by not only expanding its recruiting and hiring, but improving its retention of people with disabilities. Commerce is committed to providing a welcoming place for people with disabilities where they can thrive and make the most of their talents and abilities.

This Plan contains information and strategies to assist hiring managers, supervisors, and human resources specialists in recruiting, hiring, and retaining people with disabilities and targeted disabilities. Commerce's submission contains the following:

I. Department of Commerce overview

II. Plan for implementing the goals of Executive Order 13548

- The senior-level agency official to be accountable for enhancing employment opportunities for individuals with disabilities and targeted disabilities
- Disability Recruitment Task Force
- Numerical hiring goals for employing individuals with disabilities and sub-goals for employing individuals with targeted disabilities for each year over the next five years
- Occupations and grade levels of positions being recruited
- Strategies to increase the use of Title 5, Code of Federal Regulation (CFR), Schedule A 213.3102(u), *Appointment of persons with mental retardation, severe physical disabilities, or psychiatric disabilities*
- Recruitment/outreach strategies
- Special hiring authorities to be used
- Mandatory training requirements for hiring managers, supervisors, and human resources specialists
- Career/skill development strategies to increase participation of individuals with disabilities in internships, fellowships, and training and mentoring programs
- Strategies to retain Commerce employees with disabilities

- Strategies to retain individuals who are injured on the job, including ways to improve, expand, and increase successful return-to-work outcomes of employees who sustain work-related injuries and illnesses as defined under the Federal Employees Compensation Act (FECA), to increase the availability of job accommodations and light or limited duty jobs, and to remove disincentives for FECA claimants to return to work
- Strategies to ensure reasonable accommodation needs are met
- A one-stop resources website
- Accountability and reporting requirements within Commerce

I. DEPARTMENT OF COMMERCE OVERVIEW

The Department of Commerce (Commerce), established by a Congressional Act on February 14, 1903, is one of the oldest executive-level departments in the Federal Government. Commerce is a dynamic organization with a diverse mission that impacts national and international business, the economy, telecommunications, research, trade, and weather forecasting. Commerce's workforce is comprised of approximately 45,000 dedicated employees serving within the following 12 bureau-level offices that report directly to the Office of the Secretary:

- Bureau of Economic Analysis – Provides timely, relevant, and accurate economic data to promote a better understanding of the U.S. economy
- Bureau of the Census – Serves as the leading source of quality population data
- Bureau of Industry and Security – Protects the national, economic, cyber, and homeland security of the United States
- Economic Development Administration – Works in partnership with state and local governments, regional economic development districts, public and private nonprofit organizations, and Native American tribes to help afflicted communities in addressing problems associated with economic distress, such as recovering from the economic impact of natural disasters as well as the closure of military installations and other Federal facilities
- Economics and Statistics Administration – Provides broad and targeted economic data, analyses, and forecasts for use by Federal Government agencies, businesses, and other institutions. Additionally, develops domestic and international economic policy
- International Trade Administration – Strengthens the competitiveness of U.S. industry, promotes trade and investment, and ensures fair trade and compliance with trade laws and agreements
- Minority Business Development Agency – Facilitates advancement in the establishment and growth of minority-owned businesses in the United States. As the only Federal agency created specifically for improving minority-owned businesses, it is dedicated to creating jobs and impacting local economies in minority communities by fostering the competitiveness of minority firms
- National Institute of Standards and Technology – Promotes U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology to enhance economic security and improve Americans' quality of life
- National Oceanic and Atmospheric Administration – Focuses on the condition of the oceans and atmosphere, providing environmental information products and stewardship

services as well as performing scientific research on ecosystems, climate, weather, water, commerce, and transportation

- National Technical Information Service – Serves as the largest central resource for government-funded scientific, technical, engineering, and business-related information
- National Telecommunications and Information Administration – Serves as the President's principal advisor on telecommunications and information policy issues, and in this role frequently works with other executive branch agencies to develop and present the Administration's position on these issues
- Patent and Trademark Office – Promotes the progress of science and the useful arts by securing to inventors the exclusive right to their discoveries for limited periods of time

Mission:

Commerce creates conditions for economic growth and opportunity by promoting innovation, entrepreneurship, competitiveness, and stewardship.

Vision:

For almost a century, Commerce has partnered with American businesses to maintain a healthy and prosperous United States. In so doing, it has established an exemplary record of innovation in manufacturing, transportation, communications, measurement, and materials. Consequently, Commerce's vision is to ensure that the U.S. remains a leader in the global economic arena while simultaneously being a model employer of individuals, including individuals with disabilities and targeted disabilities.

Strategic Goals:

- Provide information and tools to maximize U.S. competitiveness and enable economic growth for American industries, workers, and consumers
- Foster science and technological leadership by protecting intellectual property, enhancing technical standards, and advancing measurement science
- Observe, protect, and manage the Earth's resources to promote environmental stewardship

Management Integration Goal:

- Achieve organizational and management excellence

II. PLAN FOR IMPLEMENTING THE GOALS OF EXECUTIVE ORDER 13548

Senior Level Official

The Director for Human Resources Management and Deputy Chief Human Capital Officer, a position within the Senior Executive Service, will be accountable for enhancing employment opportunities for individuals with disabilities and targeted disabilities.

Disability Recruitment Task Force

Commerce will establish a Disability Recruitment Task Force comprised of bureau Selective Placement Program Coordinators/Special Emphasis Program Managers, Commerce's Disability Recruitment Program Manager, representatives from the EEO staff, current employees with disabilities, and hiring managers. The Task Force will meet quarterly to discuss and strategize on a variety of topics, such as: barriers to recruiting individuals with disabilities, barriers in providing reasonable accommodations, success stories, training opportunities, recruitment strategies and initiatives, etc.

Numerical Hiring Goals and Sub-Goals

Currently, as of Fiscal Year (FY) 2011, Q1, Commerce's percentage of employees with disabilities is 5.77 percent and with targeted disabilities 0.8 percent. Commerce is dedicated to increasing the number of new hires with disabilities and targeted disabilities (as found on Standard Form (SF) 256, Self Identification of Disability) over the next five years. Commerce's goal is to increase the number of new hires with disabilities to 6.0 percent during FY 2011, and increase the number of employees with targeted disabilities to 1.5 percent. Below are Commerce's hiring goals for the next five years:

Fiscal Year 2011	6 percent disability and 1.50 percent targeted disability
Fiscal Year 2012	7 percent disability and 1.75 percent targeted disability
Fiscal Year 2013	8 percent disability and 2.00 percent targeted disability
Fiscal Year 2014	9 percent disability and 2.25 percent targeted disability
Fiscal Year 2015	10 percent disability and 2.50 percent targeted disability

Occupations and Grade Levels of Positions Being Recruited

Within approved budgets, Commerce will be recruiting for the following mission-critical occupations at various grade levels:

- 0110 – Economist
- 0201 – Human Resources
- 0301 – Miscellaneous Administration and Program Management
- 0343 – Management Program Analyst
- 0482 – Fishery Biologist
- 0500 – Accounting and Budgeting
- 0800 – Professional Engineering Positions

0905 – General Attorney
1101 – General Business and Industry
1102 – Contract Specialist
1140 – Trade Specialist
1224 – Patent Examiner
1301 – Physical Scientist or General Physical Science
1310 – Physicist
1315 – Hydrology
1320 – Chemistry
1340 – Meteorologist
1360 – Oceanography
1529 – Mathematical Statistician
1530 – Statistician
1550 – Computer Science
1801 – General Inspections, Investigations and Compliance
2210 – Information Technology Specialist

Strategies to Increase the Use of Schedule A Hiring Authority, A 213.3102(u), Appointment of persons with mental retardation, severe physical disabilities, or psychiatric disabilities

Each Servicing Human Resources Office (SHRO) shall maintain an individual database of individuals who qualify for appointment under Schedule A, Title 5, Code of Federal Regulations (CFR) § 213.3102(u). Prior to or concurrently with posting a job opportunity announcement (JOA) on USAJOBS, the SHRO will review the database and provide the hiring manager with the resumes of all qualified Schedule A individuals. Hiring managers will be required to acknowledge they have reviewed and considered the Schedule A candidate(s) prior to an offer of employment being extended to a non-Schedule A candidate.

Each SHRO shall designate a Selective Placement Program Coordinator/Special Emphasis Program Manager responsible for reviewing and determining qualifications of Schedule A unsolicited resumes/applications; resumes from the Office of Personnel Management's (OPM) Shared Register of Candidates with Disabilities; and the Workforce Recruitment Program for College Students with Disabilities (WRP) database. This individual will also be responsible for collecting and retaining Schedule A letters and proof of disability as well as maintaining the information in a secured area.

Commerce will develop policy to increase the number of unsolicited Schedule A resumes/applications being shared between SHROs, resulting in qualified individuals being reviewed by more hiring managers than just those who have sent their resume. In addition, Commerce will develop policy to include in the SHRO's database the resume/application of all Schedule A qualified individuals who apply for a specific JOA, and who were not selected. This policy will also increase the number of Schedule A individuals being considered for positions within Commerce.

Commerce will explore the possibility of creating a database to be shared among all SHROs, creating an efficient and effective method of sharing the resumes/applications of individuals qualified under Schedule A. This database will ultimately increase the number of Schedule A applicants being considered for positions for which they qualify throughout all of Commerce's 12 bureaus, and not just by the SHRO that received the resume/application.

Commerce will review vacant positions to determine if the job can be restructured and established at more of a career-entry level in order to increase hiring opportunities.

Recruitment/Outreach Strategies

The Department of Commerce will:

- Utilize the Presidential Management Fellows Program, a non-competitive hiring authority, to hire persons with disabilities. These candidates have passed an extensive application and screening process and have been found highly qualified by OPM
- Conduct continuous mining of resumes from OPM's USAJOBS for persons with disabilities and targeted disabilities
- Use JOA's that are written in plain, easy-to-understand language. Each JOA shall provide information and a point of contact for applicants who need to submit their application in a format other than Commerce's automated hiring system. In addition, each JOA will continue to contain both the required equal opportunity statement and the reasonable accommodation statement
- Send JOA notifications electronically to a variety of diverse organizations serving persons with disabilities, including state rehabilitation offices, and various organizations that work with wounded veterans
- Continue to use the WRP as a source to find qualified candidates with disabilities for employment. The program helps Federal agencies nationwide find post-secondary students and recent graduates with disabilities. Information on using the WRP as a recruitment source can be found at www.wrp.gov
- Continue to utilize State Vocational Rehabilitation Agencies and various veterans' organizations to recruit qualified disabled candidates
- Participate in recruitment/outreach events targeted to individuals with disabilities such as the Equal Opportunity Publications CAREERS & the disabled Magazine's Career Expo For People With Disabilities at <http://www.eop.com/expos/php> and other events targeting people with disabilities

- Utilize sources such as Disaboom <http://disaboomjobs.com/> or RecruitABILITY <http://www.disabledperson.com> to highlight and/or advertise vacant positions as feasibly possible

SHROs will continue to conduct outreach efforts at college campuses and universities with both career placement offices and campus organizations and other networks that provide services to students with disabilities.

Through partnerships with disability student services offices at colleges and universities, and at Vocational Rehabilitation Agencies, SHROs will continue to participate in special college, university, and other recruiting efforts, especially those targeted for individuals with disabilities.

Special Hiring Authorities to be Used:

- Title 5, Code of Federal Regulations (CFR), Schedule A, § 213.3102(u), *Appointment of persons with mental retardation, severe physical disabilities, or psychiatric disabilities*
- Title 5, CFR, Schedule A, § 213.3102(II), for hiring readers, interpreters, and personal assistants for disabled employees
- Title 5, CFR § 315.604, for hiring disabled veterans who have satisfactorily completed an approved course of training prescribed by the Veterans Administration under Chapter 31, Title 38, United States Code
- Title 5, CFR § 316.302(b)(4) and Title 5, CFR § 316.402(b)(4), for hiring veterans with compensable service-connected disability of 30 percent or more

Mandatory Training

Commerce's Office of Civil Rights will continue to conduct Disability 101 training to all managers and supervisors throughout each fiscal year.

Commerce will mandate that all Senior Leadership, hiring managers, supervisors, and human resources staffing and employee relations specialists take the Office of Personnel Management's (OPM) course, Using Schedule A to Hire People with Disabilities, during the first quarter of each fiscal year (FY), beginning in FY 2012, and provide a statement certifying completion of the training to their SHRO.

Commerce will develop training for hiring managers and human resources specialists on a variety of available resources such as the Workforce Recruitment Program for College Students with Disabilities; Project ABLE (Able Beneficiaries' Link to Employers); Job Accommodation Network (JAN); the Department of Defense's (DOD) Computer/Electronic Accommodations Program (CAP); OPM's Shared Register of Candidates with disabilities; Operation Warfighter Program, On-the-Job Training Program & Non-Paid Work Experience Program, non-competitive

appointing authorities such as the Veterans Recruitment Appointment, 30 percent disabled, Schedule A 213.3102(u), student appointments; and the process to request and receive reasonable accommodation.

Commerce will incorporate Equal Employment Opportunity training in new supervisory training. The training will include all aspects of Civil Rights including disability and reasonable accommodations, to ensure that no qualified individual is denied the opportunity for advancement based solely on his or her disability.

Career/Skill Development

Commerce will ensure that job opportunities are posted on USAJOBS, providing awareness to individuals with disabilities of opportunities throughout Commerce.

Commerce will ensure that employees with disabilities are made aware of various leadership development programs, through internal Commerce announcements, and have an equal opportunity to compete for all opportunities including managerial, executive, and other career-enhancing programs and initiatives.

Commerce will provide access to its web-based Commerce Learning Center, which contains over 2,500 training courses to assist employees with managing their careers.

In addition, Commerce will continue to promote internal advancement opportunities for people with disabilities and targeted disabilities through three leadership development programs. Commerce will ensure that the opportunity announcements are provided electronically to all employees, and that reasonable accommodations will be provided for qualified individuals with disabilities in order for them to participate in the following career development programs:

The Aspiring Leaders Development Program (ALDP) – The ALDP program uses an integrated approach to provide a series of developmental experiences that include three non-consecutive weeks of core training including instructor-led formal training, seminars, online courses, developmental work assignments, mentoring from senior managers, book reading and discussion, management interviews, shadowing assignments, writing assignments, three book forums, a 45-day developmental assignment, and team action learning projects and presentations

The Executive Leadership Development Program (ELDP) – The ELDP enhances leadership competencies for GS-13 through GS-14 or equivalent candidates with an initial personal assessment, formal training and seminars, a 120-day developmental assignment at a Commerce organization, an action learning team project, and access to individual mentors and coaches.

The Senior Executive Service Candidate Development Program (SES CDP) – The SES CDP provides GS-14 through GS-15 or equivalent candidates a wide variety of competency-based leadership development experiences. The program curriculum

enhances leadership competencies through an initial personal assessment, formal training and seminars, a 120-day developmental assignment away from the home office, an action learning team project, and access to individual SES mentors.

Commerce also offers employees an opportunity to earn a certificate in Project Management through the Project Management Certificate Program. Program participants develop the following skill set:

- Estimate project costs and schedules using simple techniques
- Plan, estimate, and organize project efforts
- Identify customer requirements using proven techniques
- Manage projects with tight deadlines and limited budgets

Strategies to Retain Commerce Employees with Disabilities

During the first year of employment, Selective Placement Program Coordinators/Special Emphasis Program Managers will periodically reach out to employees with disabilities and targeted disabilities to assist them with transitioning to Commerce.

Exit interviews will be conducted with persons with disabilities leaving Commerce in order to collect information on barriers to retention. This information will then be used to develop future strategies on retaining persons with disabilities.

Workplace flexibilities such as telework and alternative work schedules will be used as tools to retain persons with disabilities.

Strategies to Retain Individuals who are Injured on the Job

Commerce has recently completed a successful Return-to-Work Pilot Program that will mesh perfectly with the goals of EO 13548 related to accommodating workers with serious injuries or illnesses who are receiving benefits under the Federal Employees' Compensation Act (FECA) and the President's Protecting Our Workers and Ensuring Reemployment (POWER) initiative.

During FY 2010, Commerce implemented the Pilot Program to demonstrate the benefits of working closely with the Department of Labor's Office of Workers' Compensation Programs (OWCP) to return injured employees back to the work place by accommodating any and all limitations. Commerce targeted 23 serious long-term injuries/illnesses cases and was able to make job offers in 15 of the cases. During the Pilot Program, Commerce identified industry best practices and other strategies that when implemented should significantly enhance our ability to successfully accommodate these individuals. The "how to" recommendations include:

- Standardize/simplify/centralize all processing functions throughout Commerce
- Centralize case management skills into a small but viable group
- Institutionalize a strong return-to-work program for long-term cases
- Institutionalize a strong light-duty program for new cases with pre-established light duty, work assignments at all duty locations
- Ensure senior management is on-board and providing work opportunities

By implementing these recommendations, Commerce anticipates at least tripling the number of accommodating job offers made to injured workers receiving FECA benefits, many of whom will be workers with serious injuries or illnesses. As an added benefit, it is anticipated the successful return to work of these individuals will result in a 50 percent reduction of Commerce workers' compensation chargeback costs (from \$20M/year to \$10M/year) between FY 2011-15 resulting in a savings of \$164,000,000 over the life of these FECA claims. Virtually all of this savings will result by accommodating employees with injuries/illnesses and successfully returning them to the workplace. Accomplishments will be reported quarterly to the agency senior-level official in charge.

Strategies to Ensure Reasonable Accommodations Are Met

During FY 2011, Commerce will review Department Administrative Order 215-10, "Reasonable Accommodation for Employees or Applicants with Disabilities," and other applicable policies and procedures to ensure they contain specific and appropriate timelines to be followed when an employee requests a reasonable accommodation. Applicable policies will be updated as necessary. The Equal Opportunity Employment Commission's (EEOC) updated procedures for processing reasonable accommodation requests will be used as a model when reviewing and updating Commerce's policy and procedures. The policies will continue to be reviewed each fiscal year and updated as necessary. Updated policy and procedures will be provided to the EEOC at the time that modifications are adopted.

Commerce will continue to partner with DOD's CAPs which provides technology-based accommodations to WRP interns and employees with disabilities at no charge to the agency.

The Job Accommodation Network (JAN) will also be utilized if needed to provide expert accommodation information before, during, and after the recruitment and hiring process.

During FY 2011, Commerce will conduct an analysis of the feasibility of establishing a centralized reasonable accommodation fund managed by the Department's Reasonable Accommodations Officer.

One-Stop Resources Website

Commerce will create a website with information for hiring managers, human resources specialists, employees, and applicants on hiring authorities, resources, etc. on hiring persons with disabilities. The website will include information such as the following:

- Non-competitive hiring authorities that can be used to recruit persons with disabilities and targeted disabilities, including detailed information regarding the Title 5, CFR, Schedule A § 213.3102(u) non-competitive hiring authority
- Resources such as CAPS and JAN, along with OPM websites that contain useful information in the areas of recruiting, hiring, and retaining persons with disabilities
- The process to request and receive a reasonable accommodation(s)
- Commerce policies and human resources (HR) bulletins such as HR Bulletin #FY10, 119, “Schedule A Appointing Authority Title 5 Code of Federal Regulations (CFR) §213.3102(u) for Persons with Disabilities,” effective July 13, 2010; Department Administrative Order 215-10, “Reasonable Accommodation for Employees or Applicants with Disabilities,” effective March 24, 2009, etc.
- Various training presentations that can be used throughout Commerce

Accountability and Reporting Requirements

At the end of each quarter, SHROs must submit to the Commerce Disability Coordinator statistical information regarding their efforts to conduct outreach, and to recruit and hire persons with disabilities, and the results.

At the end of each quarter, Commerce’s Disability Program Manager shall compile the results and submit Commerce-wide statistical information on the recruitment efforts and results thereof, to the senior-level agency official accountable for enhancing opportunities for individuals with disabilities and targeted disabilities.

The Commerce Disability Coordinator will analyze the EEOC, Management Directive (MD) -715 Workforce Data on a yearly basis in order to re-evaluate and modify the established goals and strategies as needed.