



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**Office of Federal Operations**

Washington, D.C. 20036

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**Improving the Participation Rate of People with Targeted  
Disabilities in the Federal Work Force**

January 2008



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## Executive Summary

As a part of U.S. Equal Employment Opportunity Commission's (EEOC) responsibility to monitor federal agency compliance with Section 501 of the Rehabilitation Act of 1973, as amended, the Office of Federal Operations (OFO) has prepared this report on the participation of people with targeted disabilities<sup>1</sup> (PWTD) in the federal work force. The purpose of this report is to educate the public about recent disability initiatives in the federal sector, highlight data showing the declining participation rate of PWTD in the federal government, and provide recommendations that may improve employment opportunities for PWTD in the federal government. The ultimate goal is to make the federal government the employer of first choice for PWTD.

Despite the initiatives of multiple administrations and the efforts of various agencies charged with administering programs for the employment of PWTD (partner agencies), the percentage of federal employees with targeted disabilities has declined each year since reaching a peak of 1.24% in fiscal years (FY) 1993 & 1994. In FY 2006, the participation rate of PWTD fell to 0.94% of the federal government's total work force, the lowest participation rate in 20 years. Similarly, the participation rate for the federal government's *permanent* workforce also declined in FY 2006, to 0.97%. Moreover, despite medical and technological advancements that afford greater opportunities for PWTD to work, the participation rate of PWTD has declined while the federal workforce overall has actually grown. As noted in the EEOC's Annual Report on the Federal Workforce for FY 2006, from FY 1997 to FY 2006, the Total Work Force increased by 135,732 employees, a net change of 5.48%. However, the number of federal employees with targeted disabilities decreased from 28,671 in FY 1997 to 24,442 in FY 2006, a net change of -14.75%.

Given the federal government's mandate to be a model employer, OFO undertook this review to examine impediments in the federal sector to the hiring and advancement of PWTD.<sup>2</sup> It is imperative that people with disabilities who can and want to work are supported in their efforts to do so. In the *Findings and Recommendations* section of this report, OFO addresses some conditions that are deemed to be systemic impediments to the employment of PWTD and incorporates best practices and innovative measures that some agencies have taken to improve the participation rate of PWTD. Several common obstacles are highlighted below:

- There is inadequate coordination between the federal agencies and/or programs that were created specifically to meet the employment needs of individuals with disabilities;

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<sup>1</sup> Targeted disabilities are those disabilities that the federal government, as a matter of policy, has identified for special emphasis. The targeted disabilities (and the codes that represent them on the Office of Personnel Management's Standard Form 256) are: deafness (16 and 17); blindness (23 and 25); missing extremities (28 and 32 through 38); partial paralysis (64 through 68); complete paralysis (71 through 78); convulsive disorders (82); mental retardation (90); mental illness (91); and distortion of limb and/or spine (92).

<sup>2</sup> Questions about data contained in this report, as well as information in the *Annual Reports* referenced herein, can be directed to EEOC's Office of Federal Operations at 202.663.4599.

- Within the federal government, unfounded fears, myths and stereotypes persist regarding the employment of people with disabilities. These beliefs may unlawfully influence some employment decisions;
- Few agencies have developed strategic plans to improve the recruitment, hiring and retention of PWTD;
- The federal application process is daunting to most, but especially to individuals with disabilities;
- Agency officials lack knowledge about how to use/implement the Schedule A appointing authority;
- Agency officials lack knowledge about how to appropriately respond to reasonable accommodation requests and how to implement retention strategies for PWTD; and
- There is insufficient accountability among all levels of the federal government in setting and attaining goals to hire people with disabilities. This is the case among the senior leadership of most agencies. This is also true within agencies created to meet the employment needs of PWTD.

Highlighted below are several of the recommendations agencies should consider to improve the hiring and advancement of PWTD.

It is recommended that partner agencies consider:

- Establishing a cross-agency task force among partner agencies and private organizations, with the goal of improving the hiring, promotion, and advancement of PWTD in the federal government;
- Appointing a single disability coordinator to serve as a point of contact for all agencies and the public, as well as a clearinghouse of information on PWTD in the federal government;
- Developing a disability training CD/DVD for distribution to all management officials in the federal government;
- Publishing guidance for applicants on how to prepare an application for a federal job. Such guidance should include tips on how to use USAJOBS and how to write effective Knowledge, Skills and Abilities (KSA) responses;
- Developing a single online application bank to store the resumes of PWTD, by job category/occupational series; and
- Establishing an award to recognize agencies that have increased the percentage of PWTD in their work force.

It is recommended that *all* agencies consider:

- Establishing numerical hiring goals for PWTD on an annual basis, and incorporating those goals into the strategic mission of the agency. Indeed, this task is *required* by EEOC Management Directive 715;
- Providing mandatory training on disability for all management officials. This training should include information on the agency's current hiring goals, special hiring authorities (including Schedule A), reasonable accommodation, and advancement/retention strategies for PWTD;
- Developing procedures for ensuring management accountability, as well as verification that goals are obtained;
- Ensuring that a diversity element is included in senior leaders' performance appraisals, making EEO a critical element; and
- Issuing a policy statement from the agency head, emphasizing the agency's policy of providing equal employment opportunity for applicants and employees with disabilities, and encouraging managers to increase their use of special hiring authorities to fill vacancies.



## **Objectives, Scope, and Methodology**

Consistent with its responsibility to evaluate federal agencies' equal employment opportunity (EEO) programs, operations, and activities, the EEOC's OFO conducted an evaluation to (1) educate the public about the history of recent disability initiatives in the federal sector; (2) highlight data regarding PWTD in the federal government; and (3) provide recommendations that may improve employment opportunities for PWTD in the federal government. Moreover, this report is to serve as the foundation for further evaluation of employment trends for PWTD in the federal government. The ultimate goal is to make the federal government the employer of first choice for PWTD.

Initially, OFO conducted trend analysis of work force data contained in EEOC's *Annual Report on the Federal Work Force (Annual Report)*, paying particular attention to the trends among the largest agencies. OFO subsequently interviewed officials from 12 entities (federal and state) to collect information concerning perceived impediments to equal employment opportunity for PWTD and best practices for improving the hiring and advancement of PWTD in the federal work force. OFO also reviewed various executive orders involving PWTD in the federal work force, and reports generated by federal agencies, the National Task Force on Employment of Adults with Disabilities, and Cornell University. In addition, OFO examined EEOC Form 715-01 PART J (Part J) of the FY 2005 MD-715 reports that agencies submitted to EEOC. Finally, OFO considered the issues raised in formal complaints that were filed against federal agencies alleging discrimination based on mental and/or physical disability.

Part I of this report provides an overview of the various laws and initiatives that exist within the federal government to provide and improve PWTD participation rates. Part II provides statistical data on PWTD in the federal workforce. Part III of the report contains our findings and recommendations.

## Background

Despite initiatives and efforts by numerous administrations and federal agencies, there has been no appreciable improvement in the hiring and advancement of PWTD in the federal work force since OFO began monitoring their progress. In fact, the percentage of federal employees with targeted disabilities has declined each year since reaching a peak of 1.24% in FYs 1993 & 1994. In FY 2006, the participation rate of PWTD fell to 0.94% of the federal government's total work force, the lowest participation rate in over 20 years.

The decline is evident from numerous perspectives. When looking at the total work force, we note that while the total work force increased by 135,732 employees between FY 1997 and FY 2006, a net change<sup>3</sup> of 5.48%, the number of federal employees with targeted disabilities *still* decreased during the same ten year period from 28,671 in FY 1997 to 24,442 in FY 2006, representing a net change of -14.75%.

The picture is even less promising when looking solely at the permanent work force. The number of PWTD in the permanent federal work force declined at a much sharper rate than that of the overall permanent federal work force. From FY 1997 to FY 2006, the participation rate for PWTD saw a net change of -18.1%. This was disproportionately higher than the net change of -1.75% for the overall permanent work force. Moreover, it is notable that although the permanent work force increased in five of the ten years from FY 1997 to FY 2006, the participation rate of PWTD decreased every year. Essentially, during the last decade, the federal government has lost more PWTD each year than it has hired.

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<sup>3</sup> Net change is calculated by subtracting the current year number of employees from the number of employees ten years ago and then dividing that result by the number of employees ten years ago and multiplying by 100 to get the percentage of change.

## I. Agencies Required Under Law to Be Model Employers of PWTD

Section 501 of the Rehabilitation Act of 1973 establishes that the federal government may not discriminate against people with disabilities in the workplace.<sup>4</sup> Various laws and regulations also require federal agencies to attain model employer status for people with targeted disabilities. Specifically, the Rehabilitation Act provides that affirmative action program plans must be an integral part of ongoing agency personnel management programs, with the goal of hiring, placement, and advancement of persons with disabilities. 29 U.S.C. § 791(b). EEOC's regulations similarly establish that the federal government become a model employer of individuals with disabilities, and give full consideration to the hiring, placement, and advancement of qualified individuals with disabilities. 29 C.F.R. § 1614.203(a). Moreover, federal agencies must promote the full realization of equal employment opportunity through a continuing affirmative program for people with disabilities. 29 C.F.R. § 1614.101(a).

Each agency must maintain a continuing affirmative program to promote equal opportunity and eliminate discriminatory practices and policies. 29 C.F.R. § 1614.102(a). Such affirmative employment programs shall communicate the agency's EEO policy and program, and its employment needs, to all sources of job candidates without regard to disability. 29 C.F.R. § 1614.102(a)(4).

### A. Affirmative Action Program

EEOC Management Directive 715 (MD-715), which became effective on October 1, 2003, provides policy guidance and standards for establishing and maintaining an effective affirmative action program for the hiring, placement, and advancement of people with disabilities. See *MD-715, Part B(I)*. To become a model employer of people with disabilities, the federal government must take proactive steps to ensure equal employment opportunity for people with disabilities. *Id.* On an annual basis, agencies must conduct an internal review and analysis of the effects of all policies, practices, procedures, and conditions that, directly or indirectly, relate to the employment of people with disabilities. *MD-715, Part B(III)*. When conducting the analysis, EEOC encourages agencies to evaluate themselves against the work force profile of the federal government overall, as well as that of agencies ranked highly in EEOC's most recent *Annual Report*. *Id.* When an agency's self-assessment indicates that qualified individuals with disabilities may have been denied equal access to employment opportunities, the agency must take steps to identify and eliminate the potential workplace barriers. *MD-715, Part B(IV)*. EEOC requires agencies with 1,000 or more employees to maintain a special recruitment program for PWTD, and to establish specific goals for the employment and advancement of such individuals. *MD-715, Part B (VI)*. All agencies, regardless of their size or ranking, should ensure that goals "are set and accomplished in such a manner that will affect measurable progress from the preceding fiscal year." *Id.*

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<sup>4</sup> In 1992, the Rehabilitation Act, as amended, applies the standards of the Americans with Disabilities Act (ADA) to complaints of discrimination by federal employees or applicants for employment.

## **B. Individuals with a Reportable Disability**

This report refers to “individuals with a disability,” “individuals with reportable disabilities” and “people with targeted disabilities.” Reportable disabilities are those that can be disclosed through the use of Standard Form 256 (SF-256). Thus, individuals who have self-identified their disability to a reporting agency on the SF-256 are “individuals with a reportable disability.” PWTD are a subset of this group, in that targeted disabilities are also reported on the SF-256.

The final group, “individuals with disabilities,” has a more extensive definition that is used to establish who is *covered* by the Rehabilitation Act (and the Americans with Disabilities Act, codified at 42 U.S.C. 12101, *et seq.*). Pursuant to EEOC’s regulations, an “individual with a disability” is a person who has, has a record of, or is regarded as having a physical or mental impairment which substantially limits one or more of that person’s major life activities, *e.g.*, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. See 29 C.F.R. § 1630.2(g). An impairment is considered substantially limiting when it prevents an individual from performing a major life activity or when it significantly restricts the condition, manner, or duration under which an individual can perform a major life activity as compared to the ability of the average person in the general population to perform the activity. 29 C.F.R. § 1630.2(j). The individual also must show that s/he is a “qualified” individual with a disability within the meaning of 29 C.F.R. § 1630.2(m). With respect to employment, the phrase “qualified individual with a disability” is defined as a person who, with or without a reasonable accommodation, can perform the essential functions of the position held or desired. *Id.*

## **C. Individuals with a Targeted Disability**

The term “targeted disabilities” was first officially recognized by EEOC in MD-703, which was approved on December 6, 1979. Individuals with a targeted disability are a subset of those people who have a reportable disability, as defined above. Criteria used to select the nine disabilities that make up the group of targeted disabilities included the severity of the disability, the feasibility of recruitment, and the availability of work force data for individuals with targeted disabilities. EEOC recognizes that there are disabilities that are not designated as a “targeted disability,” but may nevertheless be just as severe, or more severe, than some targeted disabilities. Nonetheless, employment statistics are only collected and maintained for the nine individual targeted disabilities. The purpose of focusing on targeted disabilities is to encourage the hiring, placement, and advancement of selected individuals with disabilities in affirmative action planning.

Several partner agencies have questioned whether the definition of targeted disabilities adopted in 1979 should be reviewed, given current health issues as well as advances in medicine and technology. Further discussion of this issue can be found under Finding 1.

## **D. Initiatives to Improve Equal Opportunity for People with Disabilities**

This section describes select initiatives that were enacted to improve the hiring and advancement of PWTB in the federal work force.

### ***The Rehabilitation Act: Interagency Committee on Employment of People with Disabilities***

Pursuant to [Section 501\(a\) of the Rehabilitation Act](#), as amended, the Interagency Committee on Employment of People with Disabilities (ICEPD) was established in 1973 to provide a focus for federal employment of people with disabilities and review the adequacy of hiring, placement, and advancement practices affecting people with disabilities. The ICEPD was required to periodically provide recommendations for legislative and administrative changes to the EEOC, which would then transmit the recommendations to Congress. Agencies in the ICEPD have included the EEOC, the Office of Personnel Management (OPM), the General Services Administration, the Federal Communications Commission, the U.S. Postal Service, and the Departments of Defense, Veterans Affairs, Labor, Education, and Health and Human Services. See Section 501 of Rehabilitation Act; Executive Orders 11830, 12106, 12450, and 12704.

### ***Executive Order 12640: President's Committee on Employment of People with Disabilities***

On May 10, 1988, President Ronald Reagan issued [Executive Order 12640](#), which established the President's Committee on Employment of People with Disabilities. The purpose of this Committee was to provide advice and information on the development of maximum employment opportunities for people with physical or mental disabilities. In particular, the Committee was responsible for advising the President about information that could be used by employers, labor unions, and organizations, suggesting programs for public education, and suggesting methods of enlisting cooperation among the various organizations and agencies. The Committee was comprised of a Chair, up to four Vice Chairs, and associate members consisting of heads of federal departments or agencies. The Committee also had the authority to invite representatives of business, industry, labor, private organizations, and individuals with disabilities to attend the meetings. On January 10, 2001, the Committee was replaced by the President's Disability Employment Partnership Board in Executive Order 13187.

### ***Executive Order 13078: National Task Force on Employment of Adults with Disabilities***

On March 13, 1998, President William J. Clinton issued [Executive Order 13078](#), which established the National Task Force on Employment of Adults with Disabilities.<sup>5</sup> This order sought to ensure that the federal government is a model employer of people with disabilities. The Task Force was instructed to review federal government personnel laws, regulations, and policies in order to recommend changes necessary to improve federal employment policies for people with disabilities. The Task Force issued reports in [1998, 1999, 2000](#), and [2002](#), which provided many recommendations to the President for improving the representation of PWTB in the federal workforce.

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<sup>5</sup> Chaired by OPM, the Task Force agencies included the Departments of Agriculture, Commerce, Education, Health and Human Services, Housing and Urban Development, Interior, Justice, Transportation, Treasury, Veterans Affairs, EEOC, Federal Communications Commission, National Council on Disability, Small Business Administration, and Social Security Administration.

### ***Executive Order 13163: Plan to Increase Employment of People with Disabilities***

On July 26, 2000, President William J. Clinton issued [Executive Order 13163](#) to encourage the hiring of 100,000 people with disabilities at all levels and occupations of the federal government, and to support the goals articulated in Section 501 of the Rehabilitation Act. Based on findings that qualified persons with disabilities were refused employment, the Executive Order required agencies to: (1) use available hiring authorities; (2) expand their outreach efforts; and (3) increase their efforts to accommodate people with disabilities. To accomplish these goals, agencies were required to submit a plan to the OPM that outlined their strategies to increase the employment opportunities for people with disabilities within their respective agencies. The goals of this executive order were to be carried out over the five years following its issuance.

### ***Executive Order 13164: Reasonable Accommodation Procedures***

Also on July 26, 2000, President Clinton issued [Executive Order 13164](#) to promote a model federal workplace that provides reasonable accommodations for: (1) individuals with disabilities in the application process for federal employment; (2) federal employees with disabilities in performing the essential functions of a position; and (3) federal employees with disabilities to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. To accomplish these goals, the order requires that executive branch agencies establish effective written procedures for processing reasonable accommodation requests under Section 501 of the Rehabilitation Act of 1973. The purpose of such procedures is to provide employees, as well as supervisors and managers, with an easy-to-understand, step-by-step explanation of the reasonable accommodation process. Each agency (and agency sub-components, if appropriate) may design procedures that best suit its organizational needs, and submit the procedures, and any subsequent modifications, to EEOC for review and comment. To date, EEOC has received 123 reasonable accommodation procedures from federal agencies and subordinate components.

### ***Executive Order 13187: President's Disability Employment Partnership Board***

On January 10, 2001, President Clinton issued [Executive Order 13187](#), which established the President's Disability Employment Partnership Board in place of the President's Committee on Employment of People with Disabilities. In promoting the employment of people with disabilities, the Board was ordered to (1) develop and submit to the Department of Labor's Office of Disability Employment Policy a comprehensive written plan for joint public-private efforts to promote employment opportunities for people with disabilities, and improve their access to financial institutions and commercial and business enterprises; (2) identify strategies that may be used by employers, labor unions, national and international organizations, and federal, state, and local officials to increase employment opportunities for people with disabilities; and (3) submit annual written reports to the President on its activities, progress, and problems relating to maximizing employment opportunities for people with disabilities. The Board is comprised of 15 members, including representatives from business, labor organizations, state or local government, people with disabilities, organizations serving people with disabilities, disabled veterans, and researchers or academics. The Chairperson of the Board also serves as a member and Vice Chair of the National Task Force on Employment of Adults with Disabilities.

## ***New Freedom Initiative***

On February 1, 2001, President George W. Bush announced the New Freedom Initiative to promote the full integration of people with disabilities into all aspects of American life. The goals of this Initiative include expanding educational and employment opportunities, increasing access to assistive technologies and public accommodations, and providing accessible transportation and housing options for people with disabilities. The EEOC has taken a lead role in implementing the following activities, as part of the Initiative:

- **States' Best Practices Project**: EEOC initiated a partnership with several states to promote the hiring of people with disabilities in state government jobs. In addition to reviewing each state's practices with respect to hiring, retention, advancement, and reasonable accommodation, the Commission provides consultation, outreach and technical assistance to the participating states. EEOC issued a final report that highlights best practices and barriers that were uncovered. The four states covered in the interim report—Florida, Maryland, Vermont, Washington—were joined by Kansas, Missouri, New Hampshire, New Mexico, and Utah in the final report, dated October 2005.
- **Free workshops**: EEOC conducts free workshops on the ADA for small businesses and individuals with disabilities. These workshops, which include information on tax incentives, community resources, and the rights and responsibilities of employers and employees, are aimed at encouraging businesses with 15 to 100 employees to hire individuals with disabilities and assisting individuals who are entering the work force to better understand the ADA.
- **Outreach Speakers**: In addition to ongoing ADA outreach efforts, EEOC also offers free outreach speakers for various types of events for individuals with disabilities and employers.
- **Corporate Leadership Conferences**: EEOC will work with employers to hold corporate leadership conferences to advance the hiring of people with disabilities in their regions.
- **Reference and research on the Web**: EEOC has developed and placed on its website at <http://www.eeoc.gov/types/ada.html> information about the ADA: *Reasonable Accommodation for Attorneys*; *The Americans With Disabilities Act: A Primer for Small Business*; *Telework Fact Sheet*; *Job Applicants and the Americans with Disabilities Act*; and *How to Comply with the Americans with Disabilities Act: A Guide for Restaurants and Other Food Service Employers*. The website also includes the following information on specific types of disabilities: *Blindness and Vision Impairments in the Workplace and the ADA*; *the Association Provision of the Americans with Disabilities Act*; *Diabetes in the Workplace and the ADA*; *Epilepsy in the Workplace and the ADA*; *Persons with Intellectual Disabilities in the Workplace and the ADA*; and *Cancer in the Workplace and the ADA*.

## ***Additional EEOC Initiatives***

In addition to the activities listed above, the EEOC has established programs to ensure that all applicants and employees enjoy the freedom to compete on a level playing field and advance in the workplace as far as their talents and abilities allow. The LEAD Initiative focuses on the employment and advancement of PWTD in the federal workforce, while the Freedom to Compete Initiative addresses employment and advancement opportunities for all individuals, including people with disabilities.

- [LEAD](#) (Leadership for the Employment of Americans with Disabilities): Implemented in June 2006, the LEAD Initiative addresses the declining number of employees with targeted disabilities in the federal workforce. LEAD efforts focus on outreach to senior leaders at federal agencies to enhance their awareness of both the employment challenges faced by PWTD and policies and practices that can reverse the decline of PWTD in the federal work force population.
- [Freedom to Compete](#): Implemented in 2002, the Freedom to Compete Initiative is an outreach, education and partnership campaign designed to emphasize the importance of providing equal access to employment opportunities for all individuals, including individuals with disabilities. As part of the Initiative, EEOC has engaged stakeholders regarding the need to proactively address 21<sup>st</sup> century workplace needs, established alliances with new organizational partners, created a series of public service announcements, and presented a series of panel discussions to explore existing and emerging employment trends affecting specific segments of the population, including individuals with disabilities.

## ***Cornell University Survey***

Pursuant to a grant funded by the Task Force under Executive Order 13078, Cornell University conducted a survey of 1,001 supervisors concerning the hiring and advancement of people with disabilities. See [Survey of the Federal Government on Supervisor Practices in Employment of People with Disabilities](#), Bruyère, S., Erickson, W., & Horne, R., (2002) [Cornell University Survey]. The supervisors were employed by the seventeen executive branch agencies that served as members of the Task Force. The Task Force agencies comprised 948,867 (54%) of the total employees in the federal government in 2002, including 63,424 people with disabilities, of which 11,790 were PWTD. Cornell University published the results of the survey in 2002. The findings pertinent to this report indicated the following:

- Three out of five respondents (60%) were unaware of Executive Order 13163, requiring the hiring of 100,000 qualified individuals with disabilities over a five-year period.
- Two out of five supervisors surveyed reported being aware of the EEOC guidelines for federal agencies to establish written procedures to facilitate the provision of reasonable accommodation (Executive Order 13164). Nearly half of those aware of this provision indicated that it had influenced their supervisory practice either “a great deal” or “somewhat.” The level of awareness and influence was higher for those who had experience supervising employees with disabilities.

- Over half of the supervisors involved in recruitment reported being very familiar or somewhat familiar with the special hiring authorities for the federal government that promote hiring disabled veterans. However, only approximately one-third were familiar with hiring readers/interpreters and other personal assistants for employees with disabilities, and the special hiring authorities for hiring people with disabilities.
- Respondents indicated visible top management commitment and skills/training for employees with disabilities were the most effective means of reducing remaining barriers to employment or advancement of people with disabilities.

### ***Model Federal Agency Plan for the Employment of People with Disabilities***

Based upon the plans that OPM received from agencies pursuant to Executive Order 13163, OPM issued the [Model Federal Agency Plan for the Employment of People with Disabilities](#) in August 2004. The plan identifies six best practices that agencies have used to increase the hiring and advancement of people with disabilities, including:

- Recruiting widely for positions at all levels, utilizing a recruitment plan;
- Providing opportunities for students with disabilities in collaboration with colleges and universities;
- Giving consideration to employees with disabilities for inclusion in developmental opportunities;
- Collecting and maintaining data to monitor progress;
- Providing reasonable accommodations for qualified applicants and employees with disabilities, consistent with each agencies' reasonable accommodation policies as well as the guidance from OPM and EEOC; and
- Providing appropriate training to senior leadership and managers to ensure that they understand the agency's commitment to employ people with disabilities and that they can use special programs to recruit, appoint, and provide reasonable accommodation.

In summary, various agencies, initiatives and task forces have studied the issue of employment of individuals with disabilities. Many recommendations for improving the hiring and advancement of PWTD in the federal work force followed. Although it is unclear to what extent agencies have implemented the recommendations, data in Section II of this report makes clear that, despite the studies and initiatives, the participation rate of PWTD has steadily declined.



## II. Statistics Related to PWTD in the Federal Workforce

To understand the status of PWTD in the federal work force, we have collected data from the Central Personnel Data File (CPDF),<sup>6</sup> maintained by OPM, as well as reports that agencies have submitted to EEOC, including Form 462 reports and MD-715 reports. In the tables below, we provide data, and where appropriate, trend analysis on the following topics: (1) PWTD in the federal work force; (2) goals for recruitment of PWTD; (3) ranking of cabinet level agencies by percentage of PWTD; (4) grade groupings of PWTD; (5) participation of PWTD by type of targeted disabilities; (6) new hires of PWTD; (7) separations of PWTD; (8) promotions of PWTD; (9) awards for PWTD; and (10) most frequently raised issues in complaints alleging disability discrimination.

### A. Participation Rate of PWTD Has Fallen to 0.94% of Total Federal Work Force

Based upon CPDF data from the OPM, the participation rate of PWTD in the total federal work force fell to 0.94% in FY 2006, the lowest participation rate in 20 years. See *FY 2006 Annual Report*. The participation rate of PWTD peaked at 1.24% in FYs 1993 & 1994. When looking strictly at those employed permanently, the decline is more pronounced. The participation rate for PWTD in the permanent work force fell to 0.97% in FY 2006, the lowest since 1985. See *Table 1*.

*Table 1* shows that since FY 1985, the participation rate of permanently employed PWTD has decreased at a disproportionately higher rate than that of the federal government's overall permanent work force. Although the permanent work force has decreased by 15.9% since FY 1985 and by 3.2% since FY 1995, the participation rate of PWTD declined by 19.78% and 22.18% during those respective time frames.

*Table 1* also shows that even when the workforce increases, the population of PWTD still declines. Between FY 1997 and FY 2006, the permanent work force increased in five of the ten years. The participation rate of PWTD during that same ten year period nonetheless decreased every year. Moreover, in the five years when the size of the permanent work force decreased between FY 1997 and FY 2006, the participation rate for PWTD had a disproportionately higher decrease. For example, from FY 2002 to FY 2003, the permanent work force declined by 1.27%, but PWTD declined by twice as much at 2.59%. Overall, the federal government is losing more PWTD than it is hiring each year.

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<sup>6</sup> CPDF is an automated file created by OPM. CPDF does not include data for the Tennessee Valley Authority, United States Postal Service, Army Air Force Exchange Service (AAFES), Federal Energy Regulatory Commission, Foreign Service, Central Intelligence Agency, Defense Intelligence Agency, National Security Agency, or the Federal Bureau of Investigation in the Department of Justice. These agencies make up approximately 30% of the federal work force.

**Table 1: Permanent Employees with Targeted Disabilities in the Federal Work Force<sup>7</sup>  
FY 1985 – FY 2006**

Fiscal Year (FY)	Total Perm. Work Force (PWF)		Employees with Targeted Disabilities		
	#	% Change from Prior FY	#	% Change from Prior FY	% of PWF
1985	2,892,225	2.70%	29,282	8.46%	1.01%
1986	2,894,732	0.09%	30,320	3.54%	1.05%
1987	2,943,878	1.70%	32,149	6.03%	1.09%
1988	2,790,287	-5.22%	30,736	-4.40%	1.10%
1989	2,807,546	0.62%	31,956	3.97%	1.14%
1990	2,786,143	-0.76%	32,145	0.59%	1.15%
1991	2,772,396	-0.49%	32,950	2.50%	1.19%
1992	2,737,331	-1.26%	33,379	1.30%	1.22%
1993	2,656,033	-2.97%	32,989	-1.17%	1.24%
1994	2,616,393	-1.49%	32,337	-1.98%	1.24%
1995	2,512,776	-3.96%	30,185	-6.65%	1.20%
1996	2,532,507	0.79%	29,930	-0.84%	1.18%
1997	2,475,761	-2.24%	28,671	-4.21%	1.16%
1998	2,479,199	0.14%	28,035	-2.22%	1.14%
1999	2,462,152	-0.69%	27,601	-1.55%	1.13%
2000	2,442,643	-0.79%	27,231	-1.34%	1.12%
2001	2,445,335	0.11%	26,834	-1.46%	1.10%
2002	2,459,505	0.58%	26,230	-2.25%	1.07%
2003	2,428,330	-1.27%	25,551	-2.59%	1.05%
2004	2,437,458	0.38%	24,816	-2.87%	1.02%
2005	2,441,287	0.16%	24,086	-2.94%	0.99%
2006	2,432,314	-0.37%	23,490	-2.47%	0.97%

The Census Bureau provides data reflecting general and specific civilian labor force participation rates categorized by race, national origin, and gender. There is no comparable data, however, currently collected or reported by the Census Bureau for people with disabilities. Thus, it is difficult to conduct analysis and/or determine expected participation rates for people with disabilities, as is done for all other groups based on race and gender. Because of the absence of Census data concerning the general availability of people with disabilities in the work force, EEOC requires agencies to benchmark themselves against both the agency with the highest percentage of PWTD, which is published in EEOC's *Annual Reports*, and against its own participation rate in the previous year to determine if progress is being made. In FY 2006, the federal high was 2.37% for agencies with 500 or more total employees.

In addition to the absence of Census availability data for people with disabilities, any statistical analysis is complicated by the fact that the types of disabilities vary tremendously, making gross statistical comparisons of limited value. These limitations notwithstanding, analysis of the above information can help facilitate an assessment concerning the extent to which PWTD are provided equal employment opportunities within every agency.

<sup>7</sup> Table 1 includes only permanent in pay status work force data, which varies from the data reported in the FY 2004 – FY 2006 Annual Reports on the Federal Work Force. Since MD-715 was issued in 2003, EEOC's *Annual Report* has included the *total* work force when calculating the participation rate for PWTD: 0.99% in FY 2004, 0.96% in FY 2005 and 0.94% in FY 2006.

## **B. Many Federal Agencies Are Not Establishing Goals for PWTD**

Through MD-715, EEOC requires agencies with 1,000 or more employees to maintain a special recruitment program for PWTD and to establish specific goals for the employment and advancement of such individuals.<sup>8</sup> *MD-715, Part B(VI)*. Fulfillment of this requirement is monitored with the use of Part J submissions. Agencies should set goals with an eye toward affecting measurable progress from year to year. To accomplish hiring and/or advancement goals, agencies should, as appropriate: (1) engage in targeted outreach and recruitment; (2) take advantage of special appointing authorities; (3) create training and development plans for people with disabilities; and (4) take disability into account in selection decisions where an individual with a disability is otherwise qualified with or without a reasonable accommodation. *Id.*

A review of PART Js submitted as part of FY 2005 MD-715 reports reveals that despite the declining participation rate of PWTD in the federal government, only 15.82% of agencies established a numerical goal for increasing the employment of PWTD in their work force. A total of 41.14% of agencies reported that they established non-numerical objectives<sup>9</sup> for PWTD in their work force. These figures indicate that 43% of agencies failed to establish any type of goal to improve the employment outlook for PWTD at their agency. This may account for why little progress is actually being realized. According to the Cornell University Survey, only 51% of supervisors reported that their agency made a “great deal of effort” to achieve affirmative employment goals, and another 30% stated that their agency made “somewhat” of an effort to achieve the goals.

## **C. Participation Rate for PWTD Among Cabinet Level Agencies**

Cabinet level agencies play an important role in the hiring and advancement of PWTD in the federal workforce. The agencies included in *Table 2* comprise 66% of the entire federal work force.<sup>10</sup> In FY 2006, only seven of the 15 cabinet agencies had a participation rate for PWTD that met or exceeded the government-wide rate of 0.94% in the total work force. *See Table 2: Ranking Cabinet Level Agencies by PWTD.*<sup>11</sup>

Several cabinet level agencies had numerical increases in their populations of PWTD over the ten year period of FY 1997 to FY 2006. However, only two cabinet level agencies realized participation *rate* increases over that time period: (1) Department of the Treasury increased from 1.59% to 1.73%; and (2) Department of Labor increased from 1.19% to 1.21%.

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<sup>8</sup> For purposes of this requirement, the term “agencies” includes any and all sub-components, field offices, regions, *etc.*, within an agency or department that has 1,000 or more employees.

<sup>9</sup> A non-numerical goal is one where the agency indicates it will hire PWTD within the next few years, without regard to the number of PWTD it would need to hire to improve the participation rate, given any loss of PWTD it may experience.

<sup>10</sup> The federal government’s total work force population was 2,611,493 in FY 2006. The total population of cabinet level agencies in FY 2006 was 1,668,450. *See FY 2006 Annual Report.*

<sup>11</sup> Unlike *Table 1*, which reflects the participation rate of PWTD in the permanent work force, *Table 2* utilizes participation rates of PWTD in the total work force as of September 30, 2006.

**Table 2: Ranking Cabinet Level Agencies by PWTD  
FY 1997 – FY 2006<sup>12</sup>**

Agencies		Fiscal Year (FY)									
		1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
1. Treasury	#	2,184	2,176	2,167	2,144	2,204	2,150	2,157	2,105	1,964	1,842
	%	1.59%	1.58%	1.55%	1.54%	1.53%	1.53%	1.99%	1.90%	1.82%	1.73%
2. Veterans Affairs	#	3,725	3,621	3,517	3,512	3,501	3,399	3,623	3,692	3,566	3,566
	%	1.85%	1.83%	1.80%	1.79%	1.74%	1.69%	1.75%	1.56%	1.52%	1.49%
3. Education	#	80	78	79	81	74	73	73	73	63	59
	%	1.88%	1.81%	1.81%	1.85%	1.68%	1.69%	1.73%	1.59%	1.42%	1.36%
4. Housing & Urban Development	#	162	144	137	137	136	138	148	139	134	130
	%	1.62%	1.53%	1.45%	1.39%	1.40%	1.41%	1.45%	1.36%	1.35%	1.32%
5. Labor	#	182	197	185	186	190	184	221	206	207	186
	%	1.19%	1.29%	1.21%	1.19%	1.19%	1.16%	1.40%	1.30%	1.35%	1.21%
6. Agriculture	#	1,082	1,041	1,013	1,001	988	990	1,077	1,068	1,000	1,009
	%	1.24%	1.21%	1.19%	1.17%	1.12%	1.09%	1.20%	0.95%	0.91%	0.96%
7. Interior	#	533	530	579	603	609	598	702	692	678	684
	%	0.95%	0.94%	1.02%	1.05%	1.03%	0.99%	1.15%	0.89%	0.88%	0.94%
8. Health & Human Services	#	564	567	567	574	614	619	673	651	624	576
	%	1.16%	1.15%	1.13%	1.12%	1.18%	1.14%	1.27%	1.02%	0.97%	0.91%
9. Defense	#	8,734	8,245	7,827	7,526	7,133	6,922	6,021	5,747	5,643	6,053
	%	1.20%	1.18%	1.16%	1.13%	1.08%	1.05%	0.89%	0.84%	0.81%	0.86%
10. Commerce	#	304	321	338	340	341	313	334	319	358	334
	%	0.95%	0.98%	0.99%	1.00%	0.97%	0.87%	0.94%	0.84%	0.89%	0.82%
11. Energy	#	131	124	116	129	128	127	122	119	116	111
	%	0.78%	0.78%	0.75%	0.84%	0.82%	0.81%	0.80%	0.79%	0.77%	0.74%
12. Transportation	#	348	338	333	334	356	498	307	322	298	285
	%	0.55%	0.53%	0.53%	0.54%	0.55%	0.49%	0.53%	0.56%	0.55%	0.53%
13. Homeland Security	#	--	--	--	--	--	--	756	740	720	709
	%	--	--	--	--	--	--	0.69%	0.45%	0.44%	0.42%
14. Justice	#	453	474	500	493	485	485	396	406	406	413
	%	0.41%	0.40%	0.42%	0.41%	0.40%	0.39%	0.40%	0.39%	0.39%	0.39%
15. State	#	68	63	63	69	64	67	93	93	90	88
	%	0.58%	0.54%	0.53%	0.52%	0.48%	0.49%	0.53%	0.39%	0.37%	0.36%
Total Work Force	#	28,671	28,035	27,601	27,231	26,834	26,230	25,551	25,917	25,142	24,442
	%	1.16%	1.13%	1.12%	1.11%	1.10%	1.07%	1.05%	0.99%	0.96%	0.94%

<sup>12</sup> Table 2 identifies participation rates based on total work force for FY 2000 – FY 2006. For years prior to FY 2000, the data reflects participation rates based on permanent employees only. The total work force figures are as reported in CPDF plus AAFES & the Foreign Service.

#### D. PWTD Are Employed at Grade Levels Below Government-Wide Average

In addition to the declining numbers of PWTD employed in the federal work force, there is also evidence that PWTD are compensated at a lower rate than other employees. In FY 2006, the average general schedule and related (GSR) grade level for PWTD was 8.5, a full grade and a half below the government-wide average of 10. See *EEOC Annual Report (FY 2006)*, [Table A-6a in App. III](#). As noted in *Table 3* below, over 51% of the federal employees with targeted disabilities were employed in GSR grades 1 to 8, as compared to only 32% of the total work force in FY 2006. See *Table 3*. It is worth noting, however, that pay distribution is improving. The participation rates for PWTD in grades 1-8 have declined from 58.95% in FY 1997 to 51.37% in FY 2006, while the participation rates for PWTD in grades 12 and above have steadily increased. During FY 2006, 6.41% of all PWTD participated in Senior Grade levels (GS-14 to Senior Pay), which is a little more than half the rate of participation for the total work force (10%). From FY 1997 to FY 2006, the highest net change in the participation rate of PWTD occurred at the GS-14/15 pay levels (+27.59%), with the senior pay level (+13.92%) ranking second.

**Table 3: Targeted Disabilities by Grade Groupings among PWTD<sup>13</sup>  
FY 1997 – FY 2006**

Grade Grouping		Fiscal Year (FY)									
		1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
GSR 1 to 8	#	10,105	9,754	8,627	9,313	9,146	8,738	8,499	8,227	7,905	7,429
	%	58.95%	57.67%	54.08%	57.09%	56.27%	54.64%	53.74%	53.25%	52.49%	51.37%
GSR 9 to 11	#	3,341	3,283	3,202	3,150	3,160	3,233	3,185	3,134	3,046	3,010
	%	19.49%	19.58%	19.47%	19.31%	19.44	20.22%	20.14%	20.29%	20.23%	20.81%
GSR 12 to 13	#	2,962	2,985	3,000	3,061	3,151	3,168	3,242	3,163	3,170	3,097
	%	17.28%	17.81%	18.24%	18.77%	19.39%	19.81%	20.50%	20.47%	21.05%	21.41%
GSR 14 to 15	#	656	666	684	708	718	769	806	841	850	837
	%	3.83%	3.97%	4.16%	4.34%	4.42%	4.81%	5.10%	5.44%	5.64%	5.79%
Senior Pay	#	79	75	75	80	79	84	82	84	88	90
	%	0.46%	0.45%	0.46%	0.49%	0.49%	0.53%	0.52%	0.54%	0.58%	0.62%
Total PWTD	#	17,143	16,763	16,443	16,312	16,254	15,992	15,814	15,449	15,059	14,463

#### E. Mental Illness and Deafness Represent 42% of All Targeted Disabilities

Among all targeted disabilities, mental illness has represented the highest percentage of PWTD in the federal work force since it surpassed deafness in FY 1998. From FY 1997 to FY 2006, federal employees with mental illness and deafness have represented at least 38% of all PWTD, combining for 42.39% in FY 2006. See *Table 4*. In contrast, employees with distortion of limb/spine have represented the fewest, at less than 3%. Although the participation rate for all PWTD has declined overall from FY 1997 to FY 2006, the participation rates for three individual targeted disability groups increased slightly during this time period: mental illness, blindness, and

<sup>13</sup> This table does not include the data for employees in the Wage and Non-GSR pay systems.

convulsive disorders. During the same time period, the individual targeted disability groups that experienced the greatest decline in participation rates were mental retardation (decrease of 23.23%), missing extremities (decrease of 12.98%), and deafness (decrease of 7.22%).

**Table 4: Percentage of Disability Types Among PWTD  
FY 1997 – FY 2006**

Type of Targeted Disabilities		FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Deafness	#	5,639	5,512	5,368	5,220	5,088	4,949	4,796	4,745	4,614	4,460
	%	19.67%	19.66%	19.45%	19.17%	18.96%	18.87%	18.77%	18.31%	18.35%	18.25%
Blindness	#	2,676	2,615	2,570	2,603	2,636	2,582	2,588	2,687	2,606	2,573
	%	9.33%	9.33%	9.31%	9.56%	9.82%	9.84%	10.13%	10.37%	10.37%	10.53%
Missing Extremities	#	1,856	1,812	1,733	1,697	1,627	1,556	1,525	1,505	1,446	1,376
	%	6.47%	6.46%	6.28%	6.23%	6.06%	5.93%	5.97%	5.81%	5.75%	5.63%
Partial Paralysis	#	3,694	3,585	3,503	3,475	3,346	3,283	3,219	3,229	3,111	2,984
	%	12.88%	12.79%	12.69%	12.76%	12.47%	12.52%	12.60%	12.46%	12.37%	12.21%
Complete Paralysis	#	1,559	1,507	1,459	1,435	1,415	1,387	1,316	1,328	1,258	1,222
	%	5.44%	5.38%	5.29%	5.27%	5.27%	5.29%	5.15%	5.12%	5.00%	5.00%
Convulsive Disorders	#	3,967	3,860	3,826	3,811	3,767	3,730	3,637	3,660	3,537	3,452
	%	13.84%	13.93%	13.86%	14.00%	14.04%	14.22%	14.23%	14.12%	14.07%	14.12%
Mental Retardation	#	2,837	2,770	2,672	2,533	2,428	2,261	2,106	2,057	1,946	1,857
	%	9.90%	9.88%	9.68%	9.30%	9.05%	8.62%	8.24%	7.94%	7.74%	7.60%
Mental Illness	#	5,622	5,579	5,690	5,697	5,801	5,786	5,695	6,043	5,982	5,900
	%	19.61%	19.90%	20.62%	20.92%	21.62%	22.06%	22.29%	23.32%	23.79%	24.14%
Distortion Limb/Spine	#	821	795	780	757	726	696	669	663	642	618
	%	2.86%	2.84%	2.83%	2.78%	2.71%	2.65%	2.62%	2.56%	2.55%	2.53%
Total Targeted Disabilities	#	28,671	28,035	27,601	27,231	26,834	26,230	25,551	25,917	25,142	24,442
	%	1.16%	1.14%	1.13%	1.12%	1.10%	1.07%	1.05%	0.99%	0.96%	0.94%
Federal Work Force	#	2,475,761	2,479,199	2,462,152	2,442,643	2,445,335	2,459,505	2,428,330	2,606,903	2,610,920	2,611,493

## **F. Schedule A Hiring Authority is Under Utilized**

Several hiring authorities designed specifically for use by and for people with disabilities are available for the federal hiring process. The broadest of these authorities is the Schedule A appointing authority, which allows for non-competitive appointment of individuals with disabilities. See 5 C.F.R. § 213.3102(u). This non-competitive appointment authority is an alternative to the traditional, and often arduous competitive process.<sup>14</sup> Schedule A was designed to provide job opportunities to persons with severe physical disabilities, psychiatric disabilities, and/or mental retardation.<sup>15</sup> In FY 2006, 326 individuals were hired under Schedule A, which amounts to 0.14% of all new hires. See *Table 5*. This represents a slight percentage increase from 0.13% in FY 2002. *Id.*

In addition to Schedule A, there is Schedule B, another non-competitive hiring authority. See 5 C.F.R. § 213.3202. Schedule B applies to jobs and situations for which it is impractical to rate applicants using competitive procedures; however, applicants must meet the qualification standards for the job. Schedule B includes hiring authorities for the Student Temporary Employment Program, the Student Career Experience Program, and the Federal Career Intern Program. *Id.* In FY 2006, 0.06% of new PWTD hires in the federal government arose through Schedule B appointment authority. See *Table 5*. This represents a decrease from the 0.07% of PWTD hired under Schedule B in FY 2002.

From FY 2002 to FY 2006, PWTD were hired at rates well below their participation rate in the federal work force (0.94%), and well below the federal highs reported in EEOC *Annual Reports*. When looking at all new hires, the rate of hire for PWTD declined from 0.60% in FY 2002 to 0.55% in FY 2006. Further, although the total number of new hires in the federal government decreased by 15.23% from FY 2002 to FY 2006, the number of new hires of PWTD decreased at a higher rate – 23.15% – in that same period. These figures indicate that PWTD are subjected to a disproportionate negative impact resulting from most federal employment trends.

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<sup>14</sup> As reported by the Merit Systems Protection Board (MSPB) in *Reforming Federal Hiring -- Beyond Faster and Cheaper*, September 2006. The MSPB, using data from OPM, reported that it takes an average of 102 days to complete all of the steps in the competitive hiring process (from making the request to fill the position to making the appointment).

<sup>15</sup> Detailed information concerning criteria and options for using special hiring authorities, including Schedule A, can be found on the Office of Personnel Management's (OPM) website at [www.opm.gov](http://www.opm.gov).

**Table 5: New Hires for PWTB in the Total Work Force (TWF)  
FY 2002 – FY 2006**

New Hires of PWTB	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006	
	#	%	#	%	#	%	#	%	#	%
<b>Schedule A Total</b>	358	34.46%	301	35.79%	345	41.32%	355	43.83%	326	25.12%
<b>% of TWF New Hires</b>	0.13%		0.12%		0.15%		0.15%		0.14%	
<b>Schedule A Permanent</b>	154	14.82%	120	14.27%	129	15.45%	119	14.69%	126	9.71%
<b>% of TWF New Hires</b>	0.05%		0.05%		0.05%		0.05%		0.05%	
<b>Schedule A Time Limited</b>	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
<b>% of TWF New Hires</b>	0.00%		0.00%		0.00%		0.00%		0.00%	
<b>Schedule A Temporary</b>	204	19.63%	181	21.52%	216	25.87%	236	29.14%	200	15.41%
<b>% of TWF New Hires</b>	0.07%		0.07%		0.09%		0.10%		0.08%	
<b>Career-Conditional</b>	458	44.08%	356	42.33%	317	37.96%	286	35.31%	303	23.34%
<b>% of TWF New Hires</b>	0.16%		0.14%		0.13%		0.12%		0.13%	
<b>Schedule B</b>	190	18.29%	151	17.95%	135	16.17%	142	17.53%	145	11.17%
<b>% of TWF New Hires</b>	0.07%		0.06%		0.06%		0.06%		0.06%	
<b>Career</b>	39	3.75%	38	4.52%	39	4.67%	28	3.46%	30	2.31%
<b>% of TWF New Hires</b>	0.01%		0.01%		0.02%		0.01%		0.01%	
<b>Total New Hires of PWTB</b>	1,689	100%	1,515	100%	1,368	100%	1,263	100%	1,298	100%
	0.60%		0.58%		0.58%		0.54%		0.55%	
<b>All New Hires</b>	281,514		259,499		236,440		235,029		237,612	

**G. Separations of PWTB are Close to Twice the Rate of New Hires**

From FY 2002 to FY 2006, PWTB have separated from the federal work force at nearly twice their rate of hire. Compare each year's separation rate for PWTB (0.98%, 0.97%, 0.92%, 0.95%, and 0.92% respectively) to each year's hire rate for PWTB (0.60%, 0.58%, 0.58%, 0.54%, and 0.55% respectively). See *Tables 5 & 6*.

**Table 6: Separations for PWTB in Total Federal Work Force  
FY 2002 – FY 2006**

Separations	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006	
	#	%	#	%	#	%	#	%	#	%
<b>Targeted Disabilities</b>	2,054	0.98%	2,129	0.97%	2,038	0.92%	2,224	0.95%	2,096	0.92%
<b>Reportable Disabilities</b>	13,053	6.25%	14,006	6.36%	13,870	6.24%	14,981	6.37%	14,095	6.20%
<b>No Disabilities</b>	195,926	93.75%	206,130	93.64%	208,244	93.76%	220,244	93.63%	213,298	93.80%
<b>Total Separations</b>	208,979	100.00%	220,136	100.00%	222,114	100.00%	235,225	100.00%	227,393	100.00%

In FY 2006, 39.41% of PWTB separated from the federal government due to retirement,<sup>16</sup> exceeding all other types of separations. See *Table 7*. For the past four years the second highest separation reason has been quitting.

**Table 7: Types of Separations of PWTB in the Total Work Force FY 2002 – FY 2006**

Types of Separations		FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
<b>Retirement</b>	#	614	837	834	892	826
	%	29.89%	39.31%	40.92%	40.11%	39.41%
<b>Quit<sup>17</sup></b>	#	693	622	606	671	622
	%	33.74%	29.22%	29.74%	30.17%	29.68%
<b>Discharge</b>	#	198	213	174	173	164
	%	9.64%	10.00%	8.54%	7.78%	7.82
<b>Death</b>	#	77	64	64	71	77
	%	3.75%	3.01%	3.14%	3.19%	3.67%
<b>RIF</b>	#	42	43	26	62	29
	%	2.04%	2.02%	1.28%	2.79%	1.38%
<b>Other</b>	#	430	350	334	355	378
	%	20.93%	16.44%	16.39%	15.96%	18.03%
<b>TOTAL</b>	#	2,054	2,129	2,038	2,224	2,096

<sup>16</sup> The types of retirement include mandatory, disability, voluntary, special option, and in lieu of involuntary action.

<sup>17</sup> Quit shows data for voluntary resignations or separations if an employee declines a new assignment, abandons a position, joins the military, or fails to return from military furlough. It excludes resignations due to in lieu of adverse actions, which are captured as Other, along with early-outs.

**H. Promotions for PWTB Decreased Disproportionately as Compared to the Total Work Force**

The large numbers of PWTB leaving the federal government may be related to the apparent lack of promotional opportunities available to this group, as compared to the opportunities available to the TWF overall. See *Table 8*. From FY 2002 to FY 2006, the number of promotions and rate of promotion for PWTB decreased by 25.19%. In comparison, the rate of promotion for individuals with no disabilities and the rate of promotion for the total federal work force decreased by 3.99% and 4.36%, respectively, during the same time period. *Id.* Similar to hiring concerns noted above, PWTB also received promotions (0.70%) below their participation rate in the federal work force (0.94%) in FY 2006.

**Table 8: Promotions for PWTB in Federal Work Force  
FY 2002 – FY 2006**

Promotions	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006	
	#	%	#	%	#	%	#	%	#	%
Targeted Disabilities	2,604	0.90%	2,255	0.83%	2,230	0.80%	2,098	0.76%	1,948	0.70%
Reportable Disabilities	15,915	5.50%	14,750	5.45%	14,831	5.32%	14,321	5.21%	14,225	5.15%
No Disabilities	273,658	94.50%	255,901	94.55%	264,059	94.68%	260,400	94.79%	262,730	94.86%
Total Promotions	289,573	100.00%	270,651	100.00%	278,890	100.00%	274,721	100.00%	276,955	100.00%

**I. PWTB Received a Smaller Increase in the Percentage of Awards as Compared to the Total Work Force**

From FY 2002 to FY 2006, the number of PWTB who received awards increased 8.44%, while the representation of individuals with no disabilities among all award recipients increased 21.27%. In FY 2006, PWTB received awards at a rate very close to their participation rate in the total work force. Overall, the total number of awards given out increased by 21.20% during this period. Recognition of PWTB for their accomplishments provides increased disability employment awareness, which could result in increased hiring.

**Table 9: Awards for PWTB in Federal Work Force FY 2002 – FY 2006**

Awards	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006	
	#	%	#	%	#	%	#	%	#	%
Targeted Disabilities	17,843	1.03%	17,959	1.05%	18,689	1.03%	19,928	1.01%	18,958	0.93%
Reportable Disabilities	103,494	6.12%	106,965	6.24%	113,937	6.26%	124,524	6.34%	124,357	6.07%
No Disabilities	1,586,476	93.88%	1,606,382	93.76%	1,705,271	93.74%	1,839,497	93.66%	1,923,957	93.93%
Total Awards	1,689,970	100.00%	1,713,347	100.00%	1,819,208	100.00%	1,964,021	100.00%	2,048,314	100.00%

**J. Harassment Is Most Frequently Alleged Issue in Disability-Related EEO Complaints**

Since FY 2002, harassment has been the most frequently alleged issue in complaints of discrimination filed by individuals on the basis of mental or physical disability. See *Tables 10 and 11*. Further, since FY 2002, the percentage of EEO complaints alleging harassment based on disability has steadily increased, peaking in FY 2006. As well, complaints involving reasonable accommodation or discipline issues have been consistently among the most frequently alleged issues. *Id.*

**Table 10: Top Three Issues for EEO Complaints Based on Mental Disability  
FY 2002 – FY 2006**

Top 3 Issues	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006	
<b>1</b>	Harassment		Harassment		Harassment		Harassment		Harassment	
	434	31.27%	387	27.37%	407	30.69%	431	33.46%	430	38.10%
<b>2</b>	Discipline		Discipline		Discipline		Discipline		Reasonable Accommodation	
	201	14.48%	232	16.41%	284	21.42%	296	22.98%	287	25.40%
<b>3</b>	Terms/Conditions of Employment		Reasonable Accommodation		Reasonable Accommodation		Reasonable Accommodation		Discipline	
	178	12.82%	180	12.73%	177	13.35%	228	17.70%	254	22.50%
<b>Total Complaints of Mental Disability</b>	1,388	6.32%	1,414	6.99%	1,326	6.97%	1,288	7.15%	1,130	6.76%
<b>Total Complaints Filed</b>	21,945		20,226		19,024		18,017		16,723	

**Table 11: Top Three Issues for EEO Complaints Based on Physical Disability  
FY 2002 – FY 2006**

Top 3 Issues	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006	
<b>1</b>	Harassment		Harassment		Harassment		Harassment		Harassment	
	1,119	22.87%	1,006	20.53%	1,022	22.67%	1,101	26.61%	1,172	30.50%
<b>2</b>	Terms/Conditions of Employment		Reasonable Accommodation		Reasonable Accommodation		Reasonable Accommodation		Reasonable Accommodation	
	844	17.25%	747	15.24%	801	17.73%	846	20.45%	849	22.10%
<b>3</b>	Discipline		Terms/Conditions of Employment		Discipline		Discipline		Terms/Conditions of Employment	
	544	11.12%	605	12.34%	696	15.41%	700	16.92%	675	17.56%
<b>Total Complaints of Physical Disability</b>	4,892	22.29%	4,901	24.23%	4,518	23.75%	4,137	22.96%	3,843	22.98%
<b>Total Complaints Filed</b>	21,945		20,226		19,024		18,017		16,723	



### **III. Findings and Recommendations: Suggestions for Overcoming Impediments to the Employment of People with Targeted Disabilities in the Federal Work Force**

Section I & II of this report provide an overview of the current employment picture for PWTD. In this final section, in addition to the findings, EEOC offers concrete solutions to help improve this picture. These solutions are based in part on previously mentioned reports and studies, as well as the input of 10 federal agencies, one state agency, and one federal program.<sup>18</sup>

OFO interviewed several groups about the declining number of federal employees with targeted disabilities. In particular, potential impediments to and best practices for improving the hiring and advancement of PWTD in the federal work force were discussed. Reasons for the decline included: (1) the increased use of contractors for positions at lower grade levels, which may adversely affect PWTD because those positions are eliminated; (2) the reluctance of managers to use special hiring authorities, such as Schedule A; and (3) the misperception of managers that people with targeted disabilities are not likely to be the best candidates, or to be qualified to successfully perform professional jobs within their agency. As well, because the selection process often relies heavily on the interview, a manager's bias may affect how s/he judges the qualifications and/or interview skills of a PWTD. Further, PWTD may be discouraged from applying for federal jobs where the vacancy announcements are hard to understand, the online application process is unnecessarily difficult, or the position requires a security clearance (PWTD may not be eligible for a security clearance if they need a job coach or personal assistant).

It was also noted that federal agencies are not effectively reaching out to and communicating the availability of vacancy announcements to PWTD. Similarly, state agencies may not be encouraging PWTD to work at all, much less work in the federal government. Finally, it was suggested by some that the numbers of PWTD in the federal workforce may, in fact, be greater than perceived, because PWTD may be reluctant to self-identify due to fear of harassment or discrimination.

The following section provides findings and recommendations regarding the hiring and advancement of PWTD in the federal work force. Recommendation 1 encourages relevant agencies to coordinate efforts related to the employment of people with targeted disabilities. Recommendations 2-5 address issues related to hiring: combating stereotypes, incorporating goals related to PWTD into strategic plans, improving the federal employment application process, encouraging people with disabilities to self-identify, and ensuring that disability-related information remains confidential. Recommendations 6-7 propose training for hiring officials about special hiring authorities and reasonable accommodation. Finally, recommendations 8-10 focus on the institutionalization and effectiveness of federal disability programs: enhancing the stature of such programs within agencies, ensuring management accountability, and publicly recognizing successes. The findings and recommendations may be applicable solely to partner agencies, or to all federal agencies. Further, in addition to the recommendations proposed in this report, EEOC also adopts the recommendations made in OPM's [Model Federal Agency Plan for the Employment of People with Disabilities](#) (August 2004). We also encourage agencies to review the

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<sup>18</sup> Contributors included: the Department of Defense's Computer/Electronic Accommodations Program (CAP), Executive Office of the President, OPM, National Council of Disability, Department of the Army, Department of Education, Department of the Interior, Department of Health and Human Services, Department of Housing and Urban Development, Department of Labor's Office of Civil Rights and Office of Disability Employment Policy (ODEP), Department of the Navy, and Virginia's Department of Rehabilitative Services.

recently published National Council on Disability's (NCD) report entitled [Empowerment for Americans with Disabilities: Breaking Barriers to Careers and Full Employment](#) (October 1, 2007).

### **1) Improve Coordination Among Partner Agencies**

*Finding 1:* There is a need for improved coordination among federal programs designed to meet the employment needs of PWTD.

Many different agencies play a role in furthering the public policy directive of employing and advancing people with disabilities. This includes agencies at the federal, state and local levels. However, despite (or perhaps because of) this widespread responsibility, until recently, no one agency has taken the lead to promote the employment of PWTD in the federal government.<sup>19</sup> There is a need for improved coordination among federal programs created to meet the employment needs of PWTD (partner agencies). See *Appendix*. The various federal agency programs that exist to address employment issues faced by PWTD do not work together efficiently or share information about their programs. In fact, agencies with oversight responsibilities for the employment of PWTD have not met together as a group since the Interagency Committee on Employment of People with Disabilities (ICEPD) disbanded in or about 1995. Better coordination among these agencies is vital to transform the program policy into employment results.

In particular, OPM and EEOC lack clear identities in the disability field. These agencies should establish a point of contact to respond to disability-related questions from agencies, PWTD, and the public.

#### ***Recommendations for Partner Agencies:***

- Partner agencies should organize a task force to provide a focus for federal employment of persons with disabilities and review the adequacy of federal agency hiring, placement, and advancement practices with respect to people with disabilities. In particular, the task force should consider whether to review the definition of targeted disabilities.<sup>20</sup>
- Partner agencies should appoint a single coordinator, who will act as point of contact for other agencies and the public, and serve as a clearinghouse of information on PWTD in the federal government. For example, this official could develop a PWTD guide on applying for federal jobs, maintain a disability-related webpage with links to partner agencies, disseminate best practices and available training, conduct web forums, schedule brown bag lunches, and maintain an e-mail distribution list, including partner agencies, disability programs, state vocation rehabilitation services and disability stakeholders.
- Partner agencies should develop a single online application bank to store resumes for PWTD by job category.

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<sup>19</sup> On June 28, 2007, EEOC launched the Leadership for the Employment of Americans with Disabilities (LEAD) Initiative. The goal for this initiative is to significantly increase the population of individuals with severe disabilities employed by the federal government. More information on this education and outreach campaign can be found at <http://www.eeoc.gov/initiatives/lead/index.html>.

<sup>20</sup> We note that OPM is currently considering changes to its Standard Form (SF) 256 by capturing additional data on the types of disabilities, which could be used to expand the types of targeted disabilities.

### ***Recommendation for All Agencies:***

- Disability program managers (DPM) and selective placement coordinators (SPC) from all agencies should submit the resumes of PWTD to this proposed online application bank.

## **2) Combat Myths and Stereotypes About Employing PWTD**

*Finding 2:* Myths and stereotypes about people with disabilities persist, presenting a barrier to the employment and advancement of PWTD.

False beliefs, myths, and stereotypes about people with disabilities, including their aptitude for employment, persist. These attitudinal barriers within the federal work force present a significant obstacle to employment and advancement for PWTD. For example, some officials believe that people with disabilities are not as well qualified as those without disabilities. This belief results in PWTD not being hired, or causes PWTD to seek entry-level positions, rather than the professional career ladder positions for which they are qualified.

Including issues related to the employment of PWTD in management training will combat myths and stereotypes about individuals with disabilities and may prevent disability-related discrimination and harassment. According to the [Cornell University survey](#), respondents recognized the value of making disability employment a mandatory element of management training. The training was identified as the most effective incentive to encourage disability nondiscrimination.

In addition, officials may also believe that it is more costly to employ people who need reasonable accommodations. In fact, many accommodations are cost-free or have a minimal cost.<sup>21</sup>

### ***Recommendations for Partner Agencies:***

- Partner agencies should collaborate on the development and implementation of a multi-media, interagency campaign to eliminate stereotypes about PWTD. This campaign could include information about responsibilities under the Rehabilitation Act and MD-715.
- Partner agencies should develop a disability-related CD for distribution to federal agencies, covering a range of disability topics.

### ***Recommendations for All Agencies:***

- All agencies should make disability training mandatory for all management officials. The training should cover hiring goals, special hiring authorities, reasonable accommodation, and advancement/retention strategies for PWTD.
- As is done with other applicants, human resources personnel, together with DPMs and/or SPCs, should work carefully to ensure PWTD being considered for employment are

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<sup>21</sup> After interviewing 1,182 employers between January 2004 and December 2006, the University of Iowa's Law, Health Policy, and Disability Center reported that of the 366 employers who gave cost information related to provided accommodations, almost half reported the accommodations cost nothing, and of those with a cost, the average expenditure was approximately \$500. See Job Accommodation Network, *Fact Sheet Series - Workplace Accommodations: Low Cost, High Impact* (undated).

capable of executing the essential functions of the relevant position. Poor placement may result in the perpetuation of fears, myths and stereotypes about PWTD. Successful employment will demonstrate to managers that PWTD are valuable employees.

- When considering applicants with disabilities for job vacancies, agencies can minimize bias by utilizing an interview panel or different management officials in separate meetings.
- Leaders at all agencies should work to increase the visibility of accomplishments and success stories of PWTD in their work force. See Recommendation 10.

### **3) Demonstrate Top-Level Commitment for Employing PWTD**

*Finding 3:* Many senior leaders have not included PWTD in strategic plans, established hiring goals for PWTD, or championed the value of PWTD to their workforce.

While EEOC's MD-715 requires analysis and documentation of an agency's accomplishments, the directive cannot *implement* the disability program. Each federal agency must put the necessary resources and work into addressing the unique barriers present in their individual workplaces. The decline in participation of PWTD in the federal work force may partially be the result of a lack of vigorous support among government leaders at all levels. Agency senior leaders need to be the champions of PWTD. In particular, agency heads should clearly articulate their support for the hiring and advancement of people with disabilities.

According to some agency officials, many senior leaders have not included PWTD in their strategic plans, have not established hiring goals for PWTD, and have not promoted the value of PWTD to their work force. In many agencies, the DPM and SPC are not consistently included in strategic and succession planning. Including PWTD in strategic plans will enable agencies to address the recruitment and retention of individuals with disabilities in an efficient, effective manner.

As noted in Section II, most agencies (84%) have not established numerical hiring goals for PWTD. According to the Cornell University Survey, only 51% of supervisors reported that their agency made a "great deal of effort" to achieve affirmative employment goals. This study reported that supervisors identified visible top management commitment as one of the most effective means of reducing the remaining barriers to employment or advancement of people with disabilities.

#### ***Recommendations for All Agencies:***

- All agencies should proactively integrate the hiring and advancement of PWTD into their strategic planning. For example, agencies should ensure that the DPM and SPC are included in strategic and succession planning meetings.
- All agencies should issue a policy statement ensuring equal employment opportunity for applicants and employees with disabilities.
- Pursuant to the Rehabilitation Act and MD-715, agencies with 1000 or more employees should establish numerical goals for hiring PWTD, and incorporate those goals into the

strategic mission of the agency. Those annual goals should exceed the agency's loss rate for PWTB.

- Agencies should establish an advisory committee that addresses all disability-related issues in the agency, including recruitment, hiring, promotion, awards, retention, and reasonable accommodation. Agencies could include management officials, union representatives, and PWTB on the advisory committee.
- In accordance with MD-715, agency EEO offices should coordinate with human resources offices on recruitment activities to increase the participation of PWTB in the work force. For example, types of temporary hiring strategies and appointment authorities include the use of [Workforce Recruitment Program](#) (WRP); [Student Educational Employment Program](#) (SEEP), [Student Career Experience Program](#) (SCEP), and [Student Temporary Program](#) (STEP). Use of these temporary, limited appointments for PWTB will assist PWTB in gaining the work experience necessary for future permanent employment.
- To create greater opportunities for PWTB, agencies should expand vacancy announcements to include grade levels below that of the GS-12 journeyman level.
- Agencies should establish a Job Shadow Program, whereby students with disabilities visit the worksite.
- In addition to the WRP program, agencies should consider using [The Washington Center for Internships and Academic Seminars](#), which provides funding for up to 50 students with disabilities interested in working in the executive, judicial or legislative branches of the federal government during the school year.

#### **4) Improve the Daunting Application Process for Federal Employment**

*Finding 4:* The federal application process is daunting for prospective applicants.

During interviews, all agency officials agreed that the federal application process is daunting. Lengthy, vague vacancy announcements, the myriad of online application processes, and the interview process all contribute to this conclusion. Agency officials stated that vacancy announcements have too much federal jargon, which disadvantages those outside the federal government. Announcements are often replete with federal "buzz" words and terms – like "special appointing authority" – that mean nothing to the average applicant.

In addition, the questions designed to test the applicant's knowledge, skills, and abilities (KSAs) may be difficult to understand, and often do not reveal the "essential functions of the position." As well, vacancy announcements may read like position descriptions because they are too detailed, or do not always accurately reflect what the job entails. The federal application process can also be difficult when applying under Schedule A. PWTB are unable to attach their Schedule A certification and pertinent documents when applying for a position on-line.

Additionally, an agency official explained that allowing managers to interview the top three candidates of the certification roster serves as a detriment to people with disabilities, who are often

not selected for interviews because they are surpassed by veterans and applicants with previous federal experience.

***Recommendations for Partner Agencies:***

- Partner agencies should collaborate to develop guidance on how to prepare a federal job application for PWTB, including tips on how to use USAJOBS and how to write KSA responses.
- Partner agencies should review the various electronic online application filing systems to ensure that they all allow PWTB to submit supplemental documents for Schedule A consideration, as appropriate.

***Recommendations for All Agencies:***

- All agencies should ensure that vacancy announcements clearly and simply explain the essential functions of open positions. Avoid using federal jargon. See *President Clinton's Memorandum for the Heads of Executive Departments and Agencies, [Plain Language in Government Writing](#) (June 1, 1998)* (directing agencies to structure plain language documents with a logical organization, easy-to-read design features, and use common, everyday words, except for necessary technical terms).
- All agencies should also ensure that they recruit applicants from a variety of venues, and publicize job opportunities widely. To do so, agencies should: develop and maintain relationships with organizations that assist PWTB in finding employment; provide vacancy announcements to state rehabilitation agencies and disability stakeholder groups; and make a special effort to reach out to students with disabilities when recruiting at colleges and universities.
- All agencies and state vocational rehabilitation services should establish a weblink to the guidance proposed above, when developed.
- All agencies should consider instituting a policy requiring that all qualified Schedule A applicants be interviewed for open positions, even if they are not among the top three qualified applicants.
- Agencies should conduct workshops on how to write KSA responses specifically for PWTB.

**5) Encourage Persons With Disabilities to Self-Identify and Ensure this Information Remains Confidential**

*Finding 5:* Some individuals with disabilities are reluctant to self-identify because they are concerned that such disclosure will preclude them from employment or advancement. Individuals with disabilities may also be concerned that their disability status will not remain confidential.

Some individuals with disabilities choose not to disclose their status, perhaps out of concern that they will not be hired or that they will otherwise be subjected to discrimination. They may also fear that their disability status will not remain confidential. As noted in Section II, the percentage of

EEO complaints alleging discrimination against people with disabilities increased from 28.61% in FY 2002 to 29.74% in FY 2006, despite the decreasing number of PWTD in the federal work force.<sup>22</sup> The fact that the percentage of discrimination complaints filed based on disability increased during a period in which the number of PWTD in the federal work force decreased may indicate that people with disabilities perceive greater discrimination in the federal workplace. As a result, persons with disabilities, targeted or otherwise, may be more reluctant to self-identify.

***Recommendations for All Agencies:***

- Agencies should ensure that employees can modify their SF-256/disability status at any time. Online access to modify SF-256 forms is ideal. For example, several agencies utilize their payroll provider – [www.employeeexpress.gov](http://www.employeeexpress.gov) – to allow employees to update their personal information at anytime.
- All agencies should re-survey the work force on a periodic basis. Every two to four years is recommended.
- All agencies should advise employees that information disclosed on the SF-256 regarding their disability(ies) is confidential and will only be used for agency-wide work force data collection and reporting. Applicants should be similarly advised, when disability status information is requested of them.

**6) Provide Managers with Training on Special Hiring Authorities for PWTD**

*Finding 6:* In general, agencies have under-utilized special hiring authorities for PWTD.

As noted in Part II, agencies have under-utilized special hiring authorities for PWTD. In particular, 0.14% of new hires in the federal government in FY 2006 were made using Schedule A.

Federal appointing authorities, particularly Schedule A, may be under-utilized because agency managers and officials, including DPMs and SPCs, may not fully understand the regulations. According to the Cornell University Survey, only 56% of the supervisors involved in recruitment reported being very familiar or somewhat familiar with the special hiring authorities for the federal government. In addition, many agencies do not have procedures in place for receiving and disbursing unsolicited applications from PWTD. As a result, these applicants may not be considered for employment opportunities.

At a minimum, DPMs and SPCs should possess: (1) knowledge of laws and regulations related to the Rehabilitation Act; (2) knowledge of agency reasonable accommodation policies and procedures; (3) the knowledge and ability to recruit and place PWTD, with and without the use of special hiring authorities; (4) the ability to work with advocacy groups in the disability community; and (5) the ability to develop strategic plans for the recruitment, hiring and advancement of PWTD.

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<sup>22</sup> Percentages derived from numbers that may include complaints alleging discrimination based on both mental and physical disabilities.

### ***Recommendation for Partner Agencies:***

- Partner agencies should develop and/or maintain a certification process for SPCs and DPMs, requiring continuing education on all disability-related issues.

### ***Recommendations for All Agencies:***

- All agency heads should issue a memorandum to managers, encouraging them to increase the use of Schedule A in filling vacancies.
- All agencies should train their managers on Schedule A. Agencies should also advise managers to contact the agency DPM or SPC prior to announcing vacancies.
- Agencies should publicize Schedule A on their website and in e-mails to managers.
- Agencies should consider implementing procedures to determine whether Schedule A was used to fill vacancies.
- Agencies should utilize the performance appraisal process to hold managers accountable for their use of special hiring authorities. See Recommendation 9.

## **7) Provide Managers with Training on Reasonable Accommodations**

*Finding 7:* Many federal supervisors may lack familiarity with accommodations for people with disabilities.

According to the Cornell University Survey of federal supervisors, more than one-third of the supervisors surveyed reported being unfamiliar or very unfamiliar with accommodations for persons with communication disabilities, such as adapting print materials, accessing sign language interpreters, or using a reader, a teletypewriter (TTY), or a relay service. Close to one-half of the supervisors were not aware of the following accommodation resources: the Job Accommodation Network (JAN), the Disability Services Office, disabled employee advisory groups, and DPMs or SPCs. The top three areas where supervisors desire more information are accommodations for mental illness, the accommodation process generally, and the use of special hiring authorities.

Officials interviewed in conjunction with this report stated that a manager's lack of knowledge about providing reasonable accommodations creates fear about employing PWTD. Moreover, some agency officials explained that their managers believe that employing PWTD will incur significant costs in both time and money. Despite the availability of advanced technology, agency officials reported that there is still a lack of familiarity and comfort in using assistive technology.

For example, individuals who are deaf still frequently experience difficulty communicating with human resources personnel or other agency officials because the officials lack access to, knowledge of, or familiarity with the use of TTY, relay, or other services and/or technology available for communication.

### ***Recommendations for All Agencies:***

- Agencies should provide outreach and training on reasonable accommodations to dispel myths about employing people with disabilities. One agency official reported that it established an Assistive Technology Center to allow employees to try the technology that is available to accommodate various disabilities.
- Agencies should use DOD's CAP Program (<http://www.tricare.mil/cap/>) to alleviate the fears of managers about the cost of accommodations. Agencies might also consider establishing a link to CAP on their website.
- All agencies should establish a centralized fund within the agency for providing reasonable accommodations that are not covered by CAP.
- Agencies should implement an Accessibility Data Management System to track facility accessibility.
- Agencies should provide more publicity and information about TTY and other communication services to all agency employees, particularly management officials. Further, communication services should be available on every phone.

### **8) Enhance the Clout of Disability Programs Within Federal Agencies**

*Finding 8:* In some cases, DPMs are employed at grade levels below that of other special emphasis managers and lack access to senior management officials.

Some agencies have DPMs who are employed at grade levels below that of other special emphasis managers with commensurate duties. This disparity suggests that the disability program is not as important as other special emphasis programs. Moreover, the reporting structure in some agencies may not be conducive to providing the DPM with access to senior management officials.

### ***Recommendations for All Agencies:***

- Agencies should ensure that the DPM has the same title and grade level as other special emphasis program managers with commensurate duties.
- Agencies should ensure that the DPM has access to senior management officials and is fully empowered to implement the agency's program.
- Agencies should encourage DPMs to attend disability related conferences, such as the Deaf and Hard of Hearing in Government's *National Training Conference* or the *Perspectives on Employment of Persons with Disabilities Conference*.

## **9) Ensure Accountability**

*Finding 9:* The success or failure of most disability programs is directly related to the degree of accountability placed on agency officials and managers.

While EEOC and other agencies are responsible for enforcing the Rehabilitation Act, all agencies must ensure equal employment opportunity for individuals with disabilities in their work force. The success or failure of most disability programs can be traced to the degree of accountability placed on agency heads and management officials. In this regard, partner agencies should work to hold all federal agencies accountable for their performance, and agency heads must hold managers accountable for their performance.

### ***Recommendations for All Agencies:***

- All agencies should develop procedures for ensuring accountability of equal employment opportunity for PWTD in their work force by verifying that goals are obtained, establishing procedures for follow-up, and conducting enforcement.
- All agencies should consider distributing monthly reports to senior leaders and management, showing what progress, if any, is being made in the hiring and advancement of PWTD within their agency.
- All agency EEO offices should visit with senior leaders to discuss work force profiles of PWTD.
- All agencies should ensure that a diversity element is included in the performance standards of senior leaders, making EEO a critical element.

## **10) Recognize Success**

*Finding 10:* There is a need for greater public recognition of practices that successfully increase the participation rate of PWTD.

Although the top five agencies are recognized for their high participation rates of PWTD in EEOC's *Annual Reports*, partner agencies could improve recognition of agencies that have been innovative and/or successful in increasing the participation rate of PWTD in their work force. In addition, many agencies have not recognized managers who have successfully hired, advanced, and retained PWTD in their work force.

### ***Recommendation for Partner Agencies:***

- Partner agencies should establish an award for the federal agencies with the best or most improved participation rate of PWTD in their work force.

### ***Recommendation for All Agencies:***

- During annual award ceremonies, all agencies should recognize managers who have successfully hired, promoted, or advanced diversity in the agency's work force.

## **Conclusion**

There are likely several explanations as to why the participation rate of PWTD has steadily declined over the years. Current medical and technological advancements afford greater opportunities for PWTD to work. Furthermore, the population of working-age individuals with targeted disabilities has increased with each passing decade. Nonetheless, the participation rate of PWTD in the federal government has steadily declined year after year. Moreover, the decline has been much faster than that of the overall federal work force. While the percentage of new hires of PWTD has increased over the last five years, that increase did not keep pace with the percentage of separations over the same period.

Government leaders at all levels must embrace the call for the federal government to be a model employer for all groups, including PWTD. Agencies must take affirmative steps to address the numbers within their workforce. The recommendations set forth in this report provide a roadmap to move the federal government toward becoming the employer of first choice for PWTD.



## Appendix

Several federal agencies have responsibilities in either enforcing the Rehabilitation Act or acting as an advocate for people with disabilities. In addition to the EEOC, some of these agencies include: National Council on Disability; Office of Personnel Management; Department of Defense's Computer/Electronic Accommodations Program; Department of Labor's Office of Disability Employment Policy; and states' Departments of Rehabilitative Services. A brief description of each agency's role is set forth below.

### **[The National Council on Disability \(NCD\)](#)**

NCD is an independent federal agency that makes recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families. NCD is composed of 15 members appointed by the President and confirmed by the U.S. Senate. NCD's overall purpose is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all individuals with disabilities, regardless of the nature or severity of the disability; and to empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

### **[The Office of Personnel Management \(OPM\)](#)**

OPM's mission is to ensure the Federal government has an effective civilian workforce. OPM accomplishes its mission by: (1) providing human capital advice and leadership for the President of the United States and Federal agencies; (2) delivering human resources policies, products, and services; (3) ensuring compliance with merit system principles and protection from prohibited personnel practices; and (4) holding agencies accountable for their human capital practices.

### **[The Computer/Electronic Accommodations Program \(CAP\)](#)**

CAP was established by the Department of Defense in 1990 to eliminate employment barriers for its employees with disabilities by providing free assistive technology and services to individuals with disabilities to ensure that they have equal access to the information, environment and opportunities in the Federal government. In 2001, it was expanded by Congress to serve as the government's centrally funded program.

### **[The Office of Disability Employment Policy \(ODEP\)](#)**

ODEP is an agency within the U. S. Department of Labor that strives to increase employment opportunities for adults and youth with disabilities and eliminate barriers to employment. ODEP develops disability-related employment policies and practices with the ultimate goal of increasing the number of people with disabilities who work, either as employees or entrepreneurs, in mind. ODEP provides policy analysis, technical assistance, innovative practices and strategies, and education and outreach to employers, employees and the disability community. Related to these efforts, ODEP also conducts a variety of employment-related programs and initiatives including: the [Job Accommodation Network](#) (JAN), a free information and referral service regarding job accommodations for people with disabilities available to employers and employees; the [Employer Assistance and Recruiting Network](#) (EARN), which is designed to assist employers in locating and

recruiting qualified workers with disabilities; and the [Workforce Recruitment Program](#) (WRP) coordinated by the Office of Disability Employment Policy and the U.S. Department of Defense. WRP aims to provide summer work experience, and in some cases full-time employment, for students with disabilities. Students represent all majors, and range from college freshmen to graduate students and law students.

### **States' Departments of Rehabilitative Services (DRS)**

States' Departments of Rehabilitative Services provide recruitment sources for federal and private sector employers of pre-screened job candidates with disabilities with ready job skills and support necessary for job maintenance and employment retention. Staff includes Placement Counselors, Job Coaches, Rehabilitation Engineers, Needs Assessment Specialists, and others. Business services provided by DRS include training and outreach: disability awareness and diversity training (i.e., Myths and Realities; Hidden Disabilities, etc); accessibility analysis and solutions; resume writing; and links to disability network resources.