

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

FISCAL YEAR 2022



COMMODITY FUTURES
TRADING COMMISSION

Data Privacy Notice

In an effort to balance transparency with privacy, the Office of Minority and Women Inclusion (OMWI) consulted with the CFTC Privacy Program to obtain guidance on appropriate disclosures as it relates to the workforce data. Based on advice and counsel provided by the Privacy Program, OMWI has masked the counts in certain cells in this plan an effort to reduce the risk of re-identification of individuals and prevent the disclosure of sensitive personally identifiable information about the CFTC workforce.

To that end, any value of less than 10, or from which a value of less than 10 can be derived, has been masked with a "<" symbol. We have determined that masking data where the value is less than 10 is a relatively well-recognized practice; however, we are continuing to evaluate the most effective methodology to provide maximum transparency while also preserving individual privacy.

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

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

Section I: Efforts to Reach Regulatory Goals

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

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

- | | |
|--------------------------------|------------|
| a. Cluster GS-1 to GS-10 (PWD) | Answer Yes |
| b. Cluster GS-11 to SES (PWD) | Answer Yes |

****As described in the Executive Summary of this report, in order to ensure that the CFTC has sufficient time to focus on creating the systems, process, and practices needed to achieve a model EEO program, and address deficiencies and barriers noted in FY21's MD-715 report, the CFTC requested and received permission from the Equal Employment Opportunity Commission to submit a "proforma" report for FY22. Thus, with the Equal Employment Opportunity Commission's consent, the CFTC is not analyzing its workforce data for triggers for the FY22 report. Unless otherwise noted, the statistics and other information provided throughout Part J of this report are based on FY21 data and practices.**** Within the cluster of 15 permanent employees in grades CT-1 to CT-10, 0% (0 employees) are people with disabilities in FY21, holding constant compared to FY20. Of the 664 employees in the cluster of CT 11 and higher, 6.02% (40 employees) are people with disabilities in FY21, an increase from 5.47% (37 employees) in FY20 and from 4.76% (31 employees) in FY19. Both clusters are below the 12% benchmark goal.

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

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

- | | |
|---------------------------------|------------|
| a. Cluster GS-1 to GS-10 (PWTD) | Answer Yes |
| b. Cluster GS-11 to SES (PWTD) | Answer Yes |

Within the cluster of 15 permanent employees in grades CT-1 to CT-10, 0% (0 employees) are people with targeted disabilities in FY21, holding constant from FY20. Of the 664 permanent employees in the cluster of CT 11 and higher, < are people with targeted disabilities, a decrease from < in FY20. Both clusters are beneath the 2% targeted goal.

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

During FY21, OMWI leadership and staff reviewed the goals with the Chief Human Capital Officer and briefed the CFTC Chairman, Chief of Staff and labor union to ensure that they were aware of the goals.

Section II: Model Disability Program

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

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

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

Answer No

The agency will request staffing/funding for a fulltime Disability Employment Program Manager within OMWI and a Selective Placement Program Coordinator in the Human Resources Branch.

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

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Section 508 Compliance	0	1	0	Kennet Ake IT Specialist Section508@cftc.gov
Processing applications from PWD and PWTB	0	1	0	Connie Adkins HR Specialist CAdkins@CFTC.gov
Answering questions from the public about hiring authorities that take disability into account	0	1	0	Connie Adkins HR Specialist CAdkins@CFTC.gov
Architectural Barriers Act Compliance	0	0	1	Edward Busse Manager - Facilities Operations and Services ebusse@cftc.gov
Special Emphasis Program for PWD and PWTB	0	0	0	
Processing reasonable accommodation requests from applicants and employees	0	1	0	Vacant Chief Human Capital Officer Vacant

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

Answer No

The CFTC will evaluate what further training is needed for Disability Program Staff in order to carry out their responsibilities.

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

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

Answer No

The new Chief Diversity, Equity, Inclusion and EEO Officer will begin briefing and bringing awareness to the gap in expertise, funding, and staffing at the agency to best make the case for further needed resources.

Section III: Program Deficiencies In The Disability Program

Brief Description of Program Deficiency	A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.		
Objective	Post the agency's reasonable accommodation procedures on its public facing website, once they are approved internally.		
Target Date	Sep 30, 2024		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2024		The agency will continue to vet the reasonable accommodation procedures through internal review and will post them when they are complete.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2021	A draft of the agency's new reasonable accommodation procedures was reviewed and found compliant by the EEOC.	
	2022	The agency processed the procedures through internal review. At the time of writing, the procedures were in the final stages of internal review.	

Brief Description of Program Deficiency	C.2.a.6. Do the agency’s training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]		
Objective	Ensure that the agency's training materials on its anti-harassment policy include examples of disability-based harassment.		
Target Date	Dec 31, 2023		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Dec 31, 2023		Once the agency finalizes its pending draft of its anti-harassment policy and procedures, it will update its existing training materials and ensure examples of disability-based harassment are included.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2022	The CFTC launched a new mandatory EEO training for supervisors. The training included examples of disability-based harassment.	

Brief Description of Program Deficiency	C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR §1614.203(d)(3)]		
Objective	Establish disability reasonable accommodation procedures that comply with the EEOC's regulations and guidance.		
Target Date	Sep 30, 2023		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2023		The CFTC sent its draft procedures to the EEOC for review on 7/29/2019 and received the EEOC's feedback regarding the procedures on 2/8/2021. The agency will update its procedures in accordance with the EEOC's feedback and then adopt them.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2022	The CFTC continued to process its draft reasonable accommodation procedures and they are currently in the final stages of internal review.	

Brief Description of Program Deficiency	C.2.b.4. Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR §1614.203(d)(3)(i)(M)]		
Objective	Ensure that the CFTC's reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time.		
Target Date	Sep 30, 2025		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Dec 31, 2023		The CFTC's Chief Diversity, Equity, Inclusion and EEO Officer will develop a plan to identify stakeholders, and strategies and key metrics, to address and advance this measure.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	

Brief Description of Program Deficiency	C.2.c. Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR §1614.203(d)(6)]		
Objective	Establish procedures for processing personal assistance services that comply with EEOC's regulations and guidance.		
Target Date	Sep 30, 2024		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2024		The CFTC received notice from the EEOC that its draft reasonable accommodation and personal assistance services procedures were in compliance on 9/11/2021. The draft procedures are in the final stages of internal review and will be posted once they are finalized.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2022	The CFTC continued to process its draft personal assistance services procedures and they are currently in the final stages of internal review.	

Brief Description of Program Deficiency	C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.		
Objective	The agency will post its procedures for processing requests for personal assistance services on its public website.		
Target Date	Sep 30, 2024		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2024		The CFTC received notice from the EEOC that its draft reasonable accommodation and personal assistance services procedures were in compliance on 9/11/2021. The draft procedures are in the final stages of internal review and will be posted once they are finalized.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2022	The CFTC continued to process its draft personal assistance services procedures and they are currently in the final stages of internal review.	

Brief Description of Program Deficiency	C.3 b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]		
Objective	Require rating officials to evaluate the performance of managers and supervisors based on their ability to provide disability accommodations when such accommodations do not cause an undue hardship.		
Target Date	Sep 30, 2024		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2024		Updates to the performance form are underway and are anticipated to be completed as part of the agency's pay and performance management reform initiative. Specific activities will include: 1. Developing EEO/DEIA performance standard for executives, supervisors, and employees, which include the activities listed in Part G, Section C.3 2. Map out a project plan to strategically manage the reform effort and change management strategy 3. Implement the reform effort and change management strategy
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2021	The agency has continued to work on its pay and performance management reform process, including examining the EEO and DEIA language that other agencies have integrated into their supervisory ratings systems.	
	2022	OMWI has submitted draft language that includes the activities listed in Part G, Section C.3 for the pending update of the performance standards for executives, supervisors, and employees, and the agency has proceeded with its internal review of the draft language.	

Brief Description of Program Deficiency	E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]		
Objective	Ensure the CFTC has a system in place to re-survey the workforce on a regular basis.		
Target Date	Sep 30, 2024		
Completion Date			
Planned Activities	<u>Target Date</u>	<u>Completion Date</u>	<u>Planned Activity</u>
	Sep 30, 2024		The CFTC will assess and start to implement next steps to create a system to re-survey the workforce on a regular basis.
Accomplishments	<u>Fiscal Year</u>	<u>Accomplishment</u>	
	2022	The Chief Diversity, Equity, Inclusion and EEO Officer and the Chief Data Officer discussed and developed plans to support the Human Resources Branch and OMWI Office with designated staff within the Division of Data to strengthen the agency's approach to demographic data collection and analysis.	

Section IV: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

The CFTC's Human Resources Branch reports that it works with Schedule A, subpart (u) qualified applicants and utilizes Veteran hiring authorities to identify job applicants with disabilities. The CFTC has determined that it made no new hires through Schedule A subpart (u) during FY22.

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

The Human Resources Branch provides qualified Schedule A and disabled Veteran applicants to hiring officials when appropriate.

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

(1) CFTC determines if the individual is eligible for appointment under such authority by requiring certification for the appropriate disability resource. (2) Qualified schedule A, subpart (u) and Veterans applicant information (certs) are forwarded to hiring officials as part of the list of eligible candidates. HR Specialists are available to discuss all parts of the Schedule A and other PWD-type of hiring authorities.

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

Answer No

The Chief Diversity, Equity, Inclusion and EEO Officer will work with stakeholder offices to ensure that hiring managers are trained on the use of hiring authorities that take disability into account.

B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS

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

The CFTC has launched a new employee affinity group for People with Disabilities and will work with that group to establish and maintain contacts with organizations that assist PWD and PWTD. During FY22, the CFTC initiated the process to hire the agency's first Associate Director of Diversity, Equity, Inclusion, and Accessibility, who will take on creating a recruitment plan that that will include establishing and maintaining contacts with organizations that assist PWD and PWTD.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

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

Among the 40 new hires in FY21, < identified as a PWD (< , which is above the benchmark of 12%. No hires in FY21 identified as a PWTD (0%), which is below the 2% benchmark resulting in a trigger.

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

- a. New Hires for MCO (PWD) Answer Yes
- b. New Hires for MCO (PWTD) Answer Yes

For FY21, out of the 272 qualified applicants who self-identified for the permanent 0905 positions, 15.4% were PWD (42 applicants) and 5.1% (14 applicants) were PWTD, but PWD and PWTD were 0% of the < selections made from the self-identified applicants. Out of the 123 qualified applicants who self-identified for the permanent 1101 positions, 15% were PWD (19 applicants) and 8.9% (11 applicants) were PWTD, but PWD and PWTD were 0% of the < selection made from the self-identified applicants. Out of the 73 qualified applicants who self-identified for the permanent 2210 positions, < were PWD (< applicants) and < (< applicants) were PWTD, but PWD and PWTD were 0% of the < selection made from the self-identified applicants. The 0301, 0511 series did not have triggers. Please note the small number of selections made, however.

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

a. Qualified Applicants for MCO (PWD) Answer No

b. Qualified Applicants for MCO (PWTD) Answer No

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

a. Promotions for MCO (PWD) Answer Yes

b. Promotions for MCO (PWTD) Answer Yes

For FY21, of the 9 qualified applicants who self-identified for internal competitive promotions to the permanent 0905 positions, < (< applicant) was a PWD and 0% were PWTD, but PWD were 0% of the < selection made from the self-identified applicants. Of the < qualified applicants who self-identified for the internal competitive promotions for the permanent 1801 positions, < (< applicants) were PWD and < (< applicant) were PWTD, but PWD and PWTD were 0% of the < selections made from the self-identified applicants. Of the 31 qualified applicants who self-identified for the internal competitive promotions for the permanent 0301 positions, 32.2% (10 applicants) were PWD and < (< applicants) were PWTD, but PWD and PWTD were 0% of the < selection made from the self-identified applicants. Please note the small number of selections made however.

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

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

A. ADVANCEMENT PROGRAM PLAN

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

To ensure that people with disabilities can access all learning opportunities, the CFTC processes all requests for reasonable accommodations regarding training appropriately and ensures that trainings disseminated through its Learning Management System are compliant with Section 508 of the Rehabilitation Act. Though opportunities for training and development programs do not exclude PWD or PWTD and all employees are afforded the same opportunities for advancement as appropriate, the CFTC will work through its DEIA strategic plan to further develop an approach to ensure advancement opportunities for PWD. The plan will

include the use of details and job assignments as well as mentoring to advance PWD. The CFTC does not currently have a separate, targeted advancement program for PWD or PWTD and thus does not do a separate notification to PWD or PWTD about development opportunities, a separate selection process, or separate process to ensure PWD or PWTD ensure sufficient training. The CFTC ensures there is equal opportunity for its employee training.

B. CAREER DEVELOPMENT OPPORTUNITES

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

The Commission offered a number of regulatory learning engagements that were delivered through eLearning training sessions. The Commission continued to offer Continued Legal Educations (CLE) and Continued Professional Education (CPE) training access to all employees. These courses afford staff with relevant information in: Accounting, Auditing, Dodd-Frank legislation, Swaps, Derivatives, Financial Market essentials, Project Management, Financial Management and ethics. Using blended learning techniques, CFTC staff participated in mission-related seminars available via in-person training, forums, seminars, live webcasts, audio CD’s and DVDs, MP3s, course handbooks and on- demand learning. This training opportunity is offered to all qualified employees, including persons with disabilities. Additionally, the CFTC utilizes competitive and non-competitive detail assignments both internally and with other agencies as opportunities for advancement.

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

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

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

- a. Applicants (PWD) Answer N/A
- b. Selections (PWD) Answer N/A

No triggers were identified as the CFTC does not have a formal career development program.

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

- a. Applicants (PWTD) Answer N/A
- b. Selections (PWTD) Answer N/A

No triggers were identified as the CFTC does not have a formal career development program.

C. AWARDS

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

a. Awards, Bonuses, & Incentives (PWD)

Answer No

b. Awards, Bonuses, & Incentives (PWTD)

Answer No

In FY21, PWD are 5.64% of the workforce; they received 4.7% of time off awards and 5.8% of cash awards. PWTD are 0.43% of the workforce, they received 0.52% of time off awards and 0.45% of cash awards.

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

a. Pay Increases (PWD) Answer No

b. Pay Increases (PWTD) Answer No

The CFTC is not a Title 5 agency and does not have or use QSI's.

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

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

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

D. PROMOTIONS

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

a. SES

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

b. Grade GS-15

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

ii. Internal Selections (PWD) Answer Yes

c. Grade GS-14

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

ii. Internal Selections (PWD) Answer Yes

d. Grade GS-13

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

ii. Internal Selections (PWD) Answer Yes

In FY21, out of the 11 qualified self-identified applicants to CT-15 internal competitive promotions, < (< individual) was a PWD, but 0% of the < self-identified selectees was a PWD. Out of the 46 qualified self-identified applicants to CT-14 internal competitive promotions, 26.1% (12 individuals) were PWD, but 0% of the < self-identified selectees was a PWD. Out of the 11 qualified self-identified applicants to CT-13 internal competitive promotions, < (< individuals) were PWD, but 0% of the < self-identified selectees was a PWD.

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

a. SES

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWTD) Answer N/A

ii. Internal Selections (PWTD) Answer No

c. Grade GS-14

i. Qualified Internal Applicants (PWTD) Answer N/A

ii. Internal Selections (PWTD) Answer Yes

d. Grade GS-13

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

In FY, 21 out of the 46 qualified self-identified applicants to CT-14 internal competitive promotions, < (< individuals) were PWTD, but 0% of the < self-identified selectees was a PWTD. Out of the 11 qualified self-identified applicants to CT-13 internal competitive promotions, < (< individual) were PWTD, but 0% of the < self-identified selectees was a PWTD.

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

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

In FY21, out of the 120 qualified self-identified applicants to CT-14 new hire positions, 16.7% (20 individuals) were PWD, but 0% of the < self-identified selectees was a PWD. Out of the 121 qualified self-identified applicants to CT-13 new hire positions, 15.7% (19 individuals) were PWD, but 0% of the < self-identified selectees was a PWD.

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

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

In FY21, out of the 120 qualified self-identified applicants to CT-14 new hire positions, < (< individuals) were PWTD, but 0% of the < self-identified selectees was a PWTD. Out of the 121 qualified self-identified applicants to CT-13 new hire positions, < (< individuals) were PWTD, but 0% of the < self-identified selectees was a PWTD.

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

- a. Executives
 - i. Qualified Internal Applicants (PWD) Answer No
 - ii. Internal Selections (PWD) Answer No
- b. Managers
 - i. Qualified Internal Applicants (PWD) Answer N/A

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

In FY21, out of the 23 qualified self-identified applicants to supervisory internal competitive promotion positions, < (< individuals) were PWD, but 0% of the < self-identified selectees was a PWD.

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

- a. Executives
 - i. Qualified Internal Applicants (PWTB) Answer No
 - ii. Internal Selections (PWTB) Answer No
- b. Managers
 - i. Qualified Internal Applicants (PWTB) Answer N/A
 - ii. Internal Selections (PWTB) Answer N/A
- c. Supervisors
 - i. Qualified Internal Applicants (PWTB) Answer N/A
 - ii. Internal Selections (PWTB) Answer Yes

In FY21, out of the 23 qualified self-identified applicants to supervisory internal competitive promotion positions, < (< individuals) were PWTB, but 0% of the < self-identified selectees was a PWTB.

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

- a. New Hires for Executives (PWD) Answer No
- b. New Hires for Managers (PWD) Answer No
- c. New Hires for Supervisors (PWD) Answer No

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

- a. New Hires for Executives (PWTB) Answer No
- b. New Hires for Managers (PWTB) Answer No
- c. New Hires for Supervisors (PWTB) Answer No

Section VI: Plan to Improve Retention of Persons with Disabilities

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

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer N/A

No employees have been eligible for conversion during this reporting period. Any employees that are eligible are converted as appropriate.
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2. Using the inclusion rate as the benchmark, did the percentage of PWD among voluntary and involuntary separations exceed that of persons without disabilities? If “yes”, describe the trigger below.

a. Voluntary Separations (PWD)

Answer No

b. Involuntary Separations (PWD)

Answer No

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

a. Voluntary Separations (PWTD)

Answer No

b. Involuntary Separations (PWTD)

Answer No

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

N/A

B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

<https://www.cftc.gov/About/DiversityAndInclusion/AccessibilityStatement>

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

<https://www.cftc.gov/About/DiversityAndInclusion/AccessibilityStatement>

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

The CFTC's Section 508 Coordinator reports that "The CFTC information technology organization has several strategic initiatives in process and ensures that accessibility requirements are embedded in these new solutions and assessed prior to acquisition. For instance, the CFTC is in the process of relocating our offices to newer facilities, and the underlying technology is being improved to enhance accessibility for these new offices. As other initiatives are completed, these projects will ensure that accessibility requirements are met and/or exceeded, with examples including cloud adoption of new software, upgraded collaboration software, and a laptop refresh." The CFTC's OMWI office plans to work the the CFTC's Section 508 coordinator to update the CFTC's 508 policy and 508 complaint policy. The CFTC's Manager of Facilities and Operational Services reports that "all CFTC facilities are in full compliance with applicable building codes, laws, etc. governing disabled persons' access. In addition, as CFTC renovates and relocates from old facilities to new, every effort is made to ensure not only full compliance but any supplemental guidance regarding disabled access is reviewed and implemented when possible."

C. REASONABLE ACCOMMODATION PROGRAM

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

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

The average time frame for processing requests for reasonable accommodation during FY22 was 14 days.

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

CFTC has consistently provided responses to reasonable accommodation requests, both approved and not approved.

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

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

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

One of the strengths of the CFTC's draft personal assistance services procedures is that they are integrated into the CFTC's draft reasonable accommodation procedures to ensure consistency and efficiency. The CFTC did not receive any requests for Personal Assistance Services in FY21, but will continue to evaluate the effectiveness of its procedures in FY22 and FY23.

Section VII: EEO Complaint and Findings Data

A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer No

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

Answer No

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

N/A- CFTC did not have any findings of discrimination in FY22.

B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

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

Answer No

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

Answer No

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

N/A - CFTC did not have any findings of discrimination in FY22.

Section VIII: Identification and Removal of Barriers

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

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

Answer Yes

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

Answer Yes

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

Source of the Trigger:		Workforce Data (if so identify the table)			
Specific Workforce Data Table:		Workforce Data Table - B4			
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:		Triggers include: PWD and PWTD in Permanent Workforce, New Hires in Permanent Workforce (PWD and PWTD), New Hires for MCO (PWD and PWTD), Promotions for MCO (PWD and PWTD), Promotions Senior Grade Levels. (PWD and PWTD), New Hires to Senior Grade Levels. (PWD and PWTD), Promotions to Supervisory Positions. (PWD and PWTD). Please see Part J for full description of triggers, as this space does not allow for full description.			
Provide a brief narrative describing the condition at issue.					
How was the condition recognized as a potential barrier?					
STATEMENT OF BARRIER GROUPS:		<i>Barrier Group</i>			
		People with Disabilities			
		People with Targeted Disabilities			
Barrier Analysis Process Completed?:		Y			
Barrier(s) Identified?:		Y			
STATEMENT OF IDENTIFIED BARRIER:		Barrier Name		Description of Policy, Procedure, or Practice	
Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.		PWD and PWTD are underrepresented in applicant pipeline; attitudinal barriers.		<p>“No Commission wide D&I strategy: No specific D&I strategy exists to guide initiatives and programming;”</p> <p>“Talent Processes do not Effectively Mitigate Bias: Standard Operating Procedures for talent processes do not actively remove barriers and bias” and “Hiring, performance management, and promotions are highly subjective with no measures to combat biases. This reduces the ability for the CFTC to actively promote DEI through talent processes.”</p> <p>“No development programs for underrepresented groups: no programs exist to actively support the development of employees from underrepresent backgrounds;”</p> <p>“Approach to hiring and recruitment is rudimentary: there are no explicit D&I focused hiring and recruiting programs” and “Hiring is limited to a few positions, mainly high grade, and is done by individual hiring managers who own the roles. This leaves the hiring process open to bias. Additionally, the recruitment processes at the Commission do not proactively source...diverse [candidates.]”</p>	
Objective(s) and Dates for EEO Plan					
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
08/07/2019	09/30/2023	Yes			Increase the number of PWD and PWTD employed by the CFTC.
Responsible Official(s)					
Title		Name		Standards Address The Plan?	
IT Specialist		Kennet Ake		Yes	
Chief Information Officer		Janaka Perera		Yes	
Manager - Facilities Operations and Services		Edward Busse		Yes	

Responsible Official(s)				
Title	Name	Standards Address The Plan?		
HR Specialist	Connie Adkins	Yes		
Chief Human Capital Officer	Vacant	Yes		
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes		
Executive Director	Jeffrey Sutton	Yes		
Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
03/01/2021	Hire a consultant to conduct a DEIA study along with an agency-wide barrier analysis.	Yes		06/04/2021
09/30/2021	Make diversity and inclusion training mandatory for supervisors and employees; with additional targeted training required for supervisors.	Yes		11/12/0021
09/30/2023	The agency will create a DEIA strategic plan. As part of the DEIA strategic planning process, we will identify further actions/activities that we will implement to address potential barriers to people with disabilities.	Yes		
09/30/2024	Integrate bias mitigation measures and DEI best practices into the hiring and selection processes.	Yes		
09/30/2024	Use strategic talent acquisitions platforms to build an intentional and strategic approach to attracting diverse applicants.	Yes		
09/30/2024	Create a diversity recruitment plan.	Yes		
09/30/2024	Continue to analyze applicant flow data to better understand by grade, position, and division, where potential issues may be.	Yes		
10/30/2021	Charter an Affinity Group for People with Disabilities	Yes		10/30/2021
09/30/2024	As part of its diversity, equity, inclusion and accessibility strategic plan process, the CFTC will explore ways to expand its Affirmative Action Plan for the Recruitment, Hiring, Advancement, and Retention of Persons with Disabilities (AAP) to include increasing the agency's use of hiring authorities that take disability into account, conducting additional outreach and recruitment efforts, and offering training, internship, and mentoring programs to persons with disabilities (PWD) and persons with targeted disabilities (PWTD).	Yes		
09/30/2025	The CFTC will develop a plan to conduct a barrier analysis to determine whether barriers exist for PWD and PWTD in the recruitment and/or selection processes for its mission-critical occupations and in the recruitment and/or selection processes for new hires and promotions to its senior grade levels, management positions, and distribution of awards.	Yes		
09/30/2024	The CFTC will work with the appropriate stakeholders to develop a plan to edit the CFTC's exit interview survey to include the disability status of respondents.	Yes		

Report of Accomplishments	
Fiscal Year	Accomplishment
2022	During FY22, the CFTC onboarded its first Chief Diversity, Equity, Inclusion and EEO Officer. She started to develop and implement plans to address these barriers. She established regular meetings with Division Leaders in order to start to integrate DEIA best practices and bias mitigation measures into the hiring and selection process, started the procurement process for two new talent acquisition platforms (LinkedIn and Handshake), and proceeded to hire the CFTC's first Associate Director of DEIA, who will manage the agency's DEIA strategic planning process and the development of a recruitment plan in 2023.

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

N/A

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

The listed activities are still pending.

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

N/A. The listed activities are still pending. Once the listed activities have been completed, the CFTC will analyze whether the triggers still exist or not.