

# ANNUAL EQUAL EMPLOYMENT OPPORTUNITY PROGRAM STATUS REPORT

FISCAL YEAR 2022



COMMODITY FUTURES  
TRADING COMMISSION

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 these tables as well as in the *Parts Report* in 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 in future MD-715 reports while also preserving individual privacy.

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

<b>PART A</b> Department or Agency Identifying Information	1. Agency	1. Commodity Futures Trading Commission
	1.a 2nd level reporting component	
	2. Address	2. 1155 21st Street, NW
	3. City, State, Zip Code	3. Washington, DC 20581
	4. Agency Code   5. FIPS code(s)	4. CT00   5. 11001

<b>PART B</b> Total Employment	1. Enter total number of permanent full-time and part-time employees	1. 683
	2. Enter total number of temporary employees	2. 27
	3. TOTAL EMPLOYMENT [add lines B 1 through 2]	4. 710

<b>PART C</b> Agency Official(s) Responsible For Oversight of EEO Program(s)	Title Type	Name	Title
	Head of Agency	Rostin Behnam	Chairman, Commodity Futures Trading Commission
	Principal EEO Director/Official	Tanisha Cole Edmonds	Chief Diversity, Equity, Inclusion and EEO Officer and Director, OMWI
	Diversity & Inclusion Officer	Tanisha Cole Edmonds	Chief Diversity, Equity, Inclusion and EEO Officer and Director, OMWI
	Principal MD-715 Preparer	Sarah Pauly	EEO Specialist
	Other EEO Staff	Derrick Wilson	Diversity Specialist

For period covering October 1, 2021 to September 30, 2022

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

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

## EXECUTIVE SUMMARY: MISSION

The Commodity Futures Trading Commission (CFTC, Agency, or Commission) is an independent agency of the U.S. government that oversees the U.S. derivatives markets, which include futures, options, and swaps. The mission of the CFTC is to promote the integrity, resilience, and vibrancy of the U.S. derivatives markets through sound regulation. The CFTC consists of five Commissioners, who are appointed by the President and confirmed by the Senate to serve staggered five-year terms. No more than three sitting Commissioners may be from the same political party, and with the advice and consent of the Senate, the President designates one of the Commissioners to serve as Chairman. The Office of the Chairman oversees the Commission's principal divisions and offices that administer and enforce the Commodity Exchange Act (CEA) and the regulations, policies, and guidance thereunder. During fiscal year 2022 (FY22), the Office of the Chairman included: the Office of Public Affairs (OPA); the Office of Legislative and Intergovernmental Affairs (OLIA); the Office of Technology Innovation (OTI); and the Office of Minority and Women Inclusion (OMWI).

During FY22, the CFTC's four programmatic divisions were the Division of Clearing and Risk (DCR), Division of Enforcement (DOE), Division of Market Oversight (DMO), and the Market Participants Division (MPD). The programmatic divisions are supported by a number of divisions and offices, including the offices within the Office of the Chairman and the Office of the Chief Economist (OCE), Division of Administration (DA), Office of General Counsel (OGC), and the Office of International Affairs (OIA). The Office of the Inspector General (OIG) is an independent office of the CFTC.

The CFTC's mission is carried out by dedicated and professional employees in its Washington, DC headquarters office and its regional offices in Kansas City, Missouri; Chicago, Illinois; and New York, New York.

Established by statute as an independent agency in 1974, the CFTC assumed responsibilities previously belonging to the U.S. Department of Agriculture since the 1920s. The CEA historically grants the CFTC regulatory authority over the commodity futures and options markets. These markets have existed since the 1860s, beginning with agricultural commodities. Over time, the markets regulated by the CFTC have grown to include energy and metals commodities such as crude oil, heating oil, gasoline, copper, gold, and silver. The CFTC also oversees markets for financial products such as interest rates, stock indexes, foreign currency, and, most recently, futures relating to digital assets. In addition, the 2010 Dodd-Frank Wall Street Reform and Consumer Protection Act directed the CFTC to oversee the U.S. swaps market, which is more than \$400 trillion in notional value and about 12 times the size of the futures market.

Futures, options, and swaps markets are essential to the U.S. economy and the way that businesses and investors manage the risk and uncertainties of future commodity price movements. Farmers, ranchers, commercial companies, municipalities, pension funds, and others use these markets to lock in a price or rate, helping them focus on innovating, producing goods and services, creating jobs, and reducing the risks of investing.

The CFTC's OMWI leads the CFTC's equal employment opportunity (EEO) and diversity, equity, inclusion, and accessibility (DEIA) programs. OMWI works to align and integrate EEO and DEIA with the CFTC mission by:

- Providing leadership, guidance, and technical assistance on the development of a model EEO program;
- Educating the workforce on employee rights and responsibilities regarding the EEO process;
- Administering an impartial and unbiased EEO complaint process for all current and former CFTC employees and job applicants;
- Providing leadership and direction in diversity talent attraction, recruitment, and retention;
- Fostering inclusive and welcoming work environments;
- Partnering with CFTC talent and business leaders to ensure equitable policies and access to opportunities within the CFTC; and
- Partnering with CFTC talent and business leaders to ensure equitable access to benefits and opportunities pursuant to CFTC external facing policies and programs.

## EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

The CFTC is committed to ensuring that it is a model workplace where all employees have the right to work and advance on the bases of merit and ability. All CFTC employees and applicants for employment should have equal employment opportunity across all personnel and employment programs, and terms, conditions and privileges of employment including, but not limited to, recruitment, hiring, merit promotion, training, and career development. The CFTC is working to establish and maintain a model EEO program to help ensure that everyone can achieve their highest potential. The Equal Employment Opportunity Commission (EEOC) Management Directive 715 (MD-715) identifies six essential elements of a model EEO program as: (1) demonstrated commitment from agency leadership; (2) integration of EEO into the agency's strategic mission; (3) management and program accountability; (4) proactive prevention of unlawful discrimination; (5) efficiency; and (6) responsiveness and legal compliance. 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 the fiscal year 2021 (FY21) MD-715 report, the CFTC requested and received permission from the EEOC to submit a "proforma" report for FY22, and this report notes where information has not been updated from FY21.

Moreover, with the hiring of CFTC's new Chief Diversity, Equity, Inclusion and Equal Employment Opportunity Officer and Director, OMWI (Chief Diversity, Equity, Inclusion and EEO Officer) during FY22, the CFTC has become more mature and deliberate in its approach to accurately self-assessing compliance with the six essential elements of a model EEO program. Therefore, due to this refined review, compliance with some performance measures listed in Part G of this report have shifted from "Yes" in the FY21 MD-715 report to "No" in the FY22 MD-715 report. However, at the time of the submission of this report, during Fiscal Year 2023 (FY23), progress has already been made in complying with meeting performance measures, and the CFTC anticipates that the FY23 MD-715 report will indicate that some of the previously deficient performance measures will be resolved.

A succinct narrative of key activities under the Commission's EEO program by essential element follows.

**Essential Element A – Demonstrated Commitment from Agency Leadership.**

CFTC leadership took concrete actions in FY22 to promote an environment that supports EEO and DEIA. For example, CFTC Chairman Behnam hired the CFTC's first Chief Diversity, Equity, Inclusion and EEO Officer in January 2022 to provide leadership and executive direction on the CFTC's efforts to integrate and promote DEIA at all levels of the agency's workforce, and its talent and business operations, and to oversee OMWI. Chairman Behnam also increased staffing and funding for OMWI to support the expansion of the OMWI portfolio to include DEIA and to establish and maintain model EEO and DEIA programs. Finally, Chairman Behnam communicated his commitment to EEO by disseminating and posting an EEO and anti-harassment statement to all CFTC employees in April 2022.

**Essential Element B – Integration of EEO into Agency Mission.**

EEO is integrated into the CFTC's 2022 – 2026 Strategic Plan. Within that plan, Chairman Behnam stated, "One of my top priorities is advancing diversity, equity, inclusion and accessibility (DEIA), because the Commission needs to adopt new strategies to develop a workforce that reflects the diversity of the people we serve. The CFTC is striving to cultivate an inclusive and welcoming culture, where all employees feel valued, safe, empowered and respected." Strategic Goal 5.1 commits the organization to "embracing and embedding equal opportunity, diversity, equity, inclusion, and accessibility (DEIA) principles and best practices into all Commission operations" and Strategic Goal 5.2 aims to "improve agency-wide strategic approach to human capital management to better attract, develop, retain, and promote a diverse workforce whose expertise will serve as a hallmark in the derivatives industry."

**Essential Element C – Management and Program Accountability.**

The CFTC's OMWI advises managers and supervisors on EEO matters. The agency provides the opportunity for employees committed to diversity to be recognized with two awards: 1) the **Excellence in Management Award** for managers and supervisors who recruit, hire and promote a diverse workforce, including within the summer internship program; and 2) the **Staff Excellence Award** for non-supervisory employees who support diversity (e.g., employees

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

who participate in different activities that cultivate an understanding of those who are different than self, champion an environment conducive to diversity, or look for and use opportunities to try new ways of doing things).

All employees, even non-supervisors, are rated on whether or not they demonstrate adherence to EEO and diversity principles. The CFTC Performance Assessment (Form 442) used for all employees, includes elements that assess whether managers and supervisors: 1) encourage and recognize others in the areas of diversity and equal opportunity; 2) demonstrate adherence to EEO and diversity principles within the agency and when representing the agency outside the CFTC; 3) respond constructively and proactively when employees make protected disclosures; and 4) take responsible actions to resolve such disclosures and foster a comfortable work environment for making such disclosures.

**Essential Element D – Proactive Prevention.**

In FY22, the CFTC's new Chief Diversity, Equity, Inclusion and EEO Officer established a variety of opportunities for employees to engage with the OMWI team, learn more about EEO and DEIA, and provide input and feedback so that the agency can proactively craft solutions. Opportunities included quarterly meetings with CFTC affinity group leaders; regular Chief Diversity, Equity, Inclusion and EEO Officer meetings with Division and Office Directors; and leading six agency-wide "Voice your Vision" sessions. The sessions served as the kickoff to the CFTC's DEIA strategic planning process as the CFTC works towards the issuance of the CFTC's first ever stand-alone DEIA Strategic Plan in FY23. The sessions were an opportunity to participate in the development of a shared vision statement for DEIA at the CFTC that is forward-looking, inspirational, and aspirational. All CFTC employees were invited to provide input on EEO and DEIA by:

- Attending one of the six OMWI "Voice your Vision" sessions;
- Providing input and feedback through an electronic anonymous suggestion box;
- Sending an email to OMWI's office email inbox; and
- Scheduling a small group or private appointment with an OMWI staff member.

Furthermore, the CFTC works to foster a culture of inclusion that values diversity. The CFTC has seven active internal employee affinity groups: the Association of African Americans, the Association of Asian Americans & Pacific Islanders, CFTC Pride: Gay, Lesbian, Bisexual, Transgender & Allied Employees, the Latino-Hispanic Employee Association, People with Disabilities Affinity Group, Women @ Work, and the Veterans' Affinity Group. Affinity groups play an important role in promoting a sense of belonging and providing networking and leadership development opportunities. With supervisor approval, affinity group leaders and employee members may use up to six pre-approved hours per month of official time to fulfill their duties and obligations; interns may devote up to two hours of official time per month.

To promote proactive prevention, during FY22 the agency conducted a variety of educational events, such as observance events and trainings, to advance inclusive workplace practices. In FY22, CFTC Chairman Behnam mandated that all supervisors complete four hours of EEO training. The training provided managers and supervisors with tools to: 1) recognize, respond to, and prevent harassment in the workplace; 2) identify and act on requests for reasonable accommodations; and 3) understand the EEO complaint process and manager/supervisor rights and responsibilities. The following modules were offered:

- Prevention and elimination of harassment/hostile work environments;
- Responding to requests for reasonable accommodations; and
- The EEO Complaint Process – rights and responsibilities.

Moreover, commemorative month observances in FY22 included:

Month	Event	Attendees
February	Black History Month Program  <i>Black Health and Wellness</i>	187 attendees

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March	Women's History Month Program <i>Women Providing Healing, Promoting Hope</i>	147 attendees
May	Asian American Pacific Islander Heritage Month <i>Advancing Leaders through Collaboration</i>	Hybrid Event - 120 virtual, plus further in-person attendees
June	LGBTQIA+ Program <i>Resilience and Pride in Public Service</i>	110 attendees
June	Juneteenth <i>Inclusion in the Digital Asset EcoSystem</i>	226 attendees
September	Hispanic Heritage Month Program <i>Unidos - Inclusivity for a Stronger Nation</i>	163 attendees

**Essential Element E – Efficiency.**

The CFTC continues to maintain an efficient, fair, and impartial complaint resolution process and in FY22 processed 100% of complaint actions within the timeframes defined in EEOC regulations for processing EEO complaints.

**Essential Element F – Responsiveness and Legal Compliance.**

The CFTC continues to work to comply with EEO statutes, regulations, policy, guidance, and other written instructions.

**Measures Requiring Agency Action to Achieve Full Compliance.**

The CFTC has identified a number of deficiencies under these elements that it is working to address. A description of the actions the CFTC is planning or is currently taking to address the deficiencies and the agency officials responsible for addressing the deficiencies are listed in Parts G and H of this report as required.

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## EXECUTIVE SUMMARY: WORKFORCE ANALYSES

**Workforce Profile- Introduction.** [1] The Workforce Profile section provides an overview of the CFTC's demographics in respect to sex, race, ethnicity, and disability status during FY22. It also describes "triggers" and potential "barriers" that the CFTC has identified by analyzing its workforce profile and workplace. A "trigger" is a trend, difference, variance, outlier, or anomaly that suggests the need for further inquiry into a particular policy, practice, procedure, or condition; a "barrier" is an agency policy, principle, or practice that limits or tends to limit employment opportunities for members of a particular EEO group based on their sex, race, ethnic background, or disability status. After identifying triggers and potential barriers, federal agencies must develop and implement action plans to address the potential barriers.

**Workforce Profile- Overview.** During FY22[2], the Commission employed 710 employees total: 683 in the permanent workforce and 27 in the temporary workforce. Within the permanent workforce, 38.07% (260 employees) were Attorneys (General Attorney Series 0905); 21.67% (148 employees) were Economists and Data Analysts (Economist 0110 Series and General Business and Industry 1101 Series); 11.71% (80 employees) were Auditors, Investigators, Risk Analysts, and Trade Practice Analysts (Auditing 0511 and General Inspection, Investigation and Compliance 1801 Series); and 15.37% (105 employees) were Management Professionals (Miscellaneous Administration and Program 0301 Series and Information Technology Management 2210 Series).

During FY22, the CFTC hired 77 total new employees: 46 in the permanent workforce and 31 in the temporary workforce. In FY22, the CFTC did not hire any employees through the Schedule A, Subpart (U) authority. There were 70 separations total: 45 in the permanent workforce and 25 in the temporary workforce.

Within the overall total CFTC FY22 workforce:

- 58.31% (414 employees) identified as Male, and 41.69% (296 employees) identified as Female;
- 67.89% (482 employees) identified as White;
- 16.90% (120 employees) identified as African American or Black;
- 11.27% (80 employees) identified as Asian American;
- 3.66% (26 employees) identified as Hispanic;
- Less than < identified as Native Hawaiian, Native American, or Two or More Races; and
- 5.92% were people with disabilities; and < were people with targeted disabilities.[3]

See Workforce Data Tables "Table A1" and "Table B1" for further details.

**Workforce Profile- Trigger Identification Process.** During FY20, former CFTC Chairman Tarbert retained the services of Deloitte to conduct a study that included a 360-degree DEIA review and an agency-wide barrier analysis. The study identified "triggers" that, under the direction of the previous OMWI Director, the CFTC listed in the FY20 MD-715 report. A "trigger" is a trend, difference, variance, outlier, or anomaly that suggests the need for further inquiry into a particular policy, practice, procedure, or condition; statistics are only a starting point for analysis that must consider the totality of the circumstances. To identify triggers from demographic quantitative data, the EEOC asks agencies to compare specific data points within the agency's workforce profile against a variety of specified benchmarks, such as the nation's overall Civilian Labor Force data (CLF), occupational labor force data, and the agency's own permanent workforce. Though in past years the CFTC's MD-715 report has utilized an alternative benchmark (the relevant civilian labor force or "RCLF"), for the FY21 report, the CFTC reverted to using the standard CLF benchmark to help ensure that the agency's workforce represents the American public that we serve; however, going forward, the CFTC will consider whether or not to develop a new alternative benchmark, such as a new relevant civilian labor force benchmark, to use in place of or in addition to the CLF. The FY20 Deloitte study identifies a trigger when the CFTC workforce participation is below the applicable benchmark by 1% or more in the present data set. This status report relies upon that definition for consistency given that the CFTC has not otherwise conducted a barrier analysis.

In order to ensure that the CFTC has sufficient time to focus on addressing the deficiencies and barriers identified in last year's FY21 MD-715 report, the EEOC approved the CFTC's submission of a "proforma" report

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for FY22. Thus, with the EEOC's guidance and approval, the CFTC has not analyzed the FY22 workforce demographic data for new triggers, assuming that many, if not all of the triggers identified in FY20 and FY21 remain, since the overall workforce data has not changed significantly from FY21 to FY22. This approach allows the CFTC to most effectively make use of EEO staff and resources to address the barriers and deficiencies that have been identified, instead of analyzing data that is likely largely unchanged compared to the previous year.

The workforce analysis conducted for the FY21 report, including the triggers previously identified in FY20 that continued to persist in FY21, is quoted below:

**“Workforce Profile- Triggers Persisting between FY20 and FY21.** The CFTC has examined the agency's FY21 employment data to see if the triggers identified by the study during FY20 continued to exist in FY21, and has found that they do. Triggers identified by the study in FY20 that persisted during FY21 were:

**FY20 and FY21 Trigger 1. Participation of Hispanic employees is below benchmarks.** Hispanic or Latino employees were only 3.62% of the total FY21 workforce, well below the benchmark of 12.98% of the CLF. Nevertheless, despite lower than expected representation, the numbers are trending upwards with an increase in Hispanic or Latino employment in the total workforce from < of the total workforce in FY20 to 3.62% of the total workforce in FY21, an increase of < Hispanic or Latino employees overall.

*See Workforce Data Tables "Table A1" for further details.*

**FY20 and FY21 Trigger 2. Lower than expected representation of racial and ethnic minorities in senior-level (CT-16 and above) permanent positions.** In FY20, 22% of individuals in CT-16+ permanent positions were found to be racial and ethnic minorities, and this rate remained the same in FY21. This rate is less than would be expected because 32% of the CFTC's permanent workforce were racial and ethnic minorities. Further, during FY21:

- 0% of senior-level permanent positions were Hispanic or Latino Males, though Hispanic Males were 2.21% of the permanent workforce;
- < of senior-level permanent positions were Black Males though Black Males were 6.19% of the permanent workforce;
- < of senior-level permanent positions were Black Females though Black Females were 11.19% of the permanent workforce;
- < of senior-level permanent positions were Asian Females though Asian Females were 5.15% of the permanent workforce.

In contrast, 78.05% of the Executives in the permanent workforce were White, though White employees were only 68.26% of the permanent workforce. There were no triggers for Asian Males or Hispanic Females amongst Executives.

*See Workforce Data Tables "Table A3: Occupational Categories" [Permanent] for further details.*

**Workforce Profile- New FY21 Triggers.** Additionally, new triggers noted by the analysis of the CFTC's demographic data are listed below.

**FY21 Trigger 1. Lower than expected representation of Black or African Americans, Hispanic or Latinos Males, and Asian Females at the Executive Level (defined as CT-16 and above and supervisory) in the permanent workforce.** Some people of color tend to have lower than expected representation in Executive positions, while White employees tend to have higher than expected representation. Of 41 Executives in the CFTC permanent workforce:

- 0% are Hispanic or Latino Male compared to 2.17% of the permanent workforce;
- < are Black or African American Male compared to 6.09% of the permanent workforce;
- < were Black or African American Female compared to 11.01% of the permanent workforce;
- < are Asian Female compared to 5.07% of the permanent workforce.

In contrast, 78.05% of the Executives in the permanent workforce were White, though White employees were only

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68.26% of the permanent workforce. There were no triggers for Asian Males or Hispanic Females amongst Executives.

See Workforce Data Tables "Table A3: Occupational Categories" [Permanent] for further details.

**FY21 Trigger 2. Lower than expected representation of Females overall, Hispanic or Latina Females, Black or African American Females, White Females, and Asians in management positions (defined as CT-15 and supervisory).** Females and people of color tend to have lower than expected representation in management positions, while White Males tend to have higher than expected representation. Of the 90 managers in the CFTC permanent workforce:

- 28.89% were Female compared to 41.83% of the permanent workforce;
- 0% were Hispanic or Latina Female compared to 1.47% of the permanent workforce;
- 21.11% were White Female compared to 23.56% of the permanent workforce;
- < were Black or African American Female compared to 11.19% of the permanent workforce;
- < were Asian Male compared to 5.3% of the permanent workforce;
- < were Asian Female compared to 5.15% of the permanent workforce.

In contrast, 57.78% of managers were White Males, though White Males were only 44.33% of the permanent workforce.

See Workforce Data Tables "Table A3: Occupational Categories" [Permanent] for further details.

**FY21 Trigger 3. Underrepresentation of females, and racial and ethnic minorities within non-administrative, mission critical occupations.** Analysis of FY21 data found that females and racial and ethnic minorities tended in some cases to be represented below benchmarks in non-administrative, mission critical occupations, and that White Males tended to have higher than expected representation in non-administrative, mission critical occupations. For example, out of 112 employees in the 1101 (Data Analysts) series:

- 24.11% were Female compared to 54.50% of the occupational CLF;
- < were Hispanic or Latina Female compared to 5.50% of the occupational CLF;
- 15.18% were White Female compared to 36.2% of the occupational CLF;
- < were Black or African American Female compared to 7.3% of the occupational CLF;
- 0% were Two or More Races Female compared to 1.3% of the occupational CLF.

In contrast, 75.89% were Male compared to 45.5% of the occupational CLF, and 58.04% were White Males compared to 32.2% of the occupational CLF. No triggers were found within this series for Hispanic or Latino Males, Black Males, or Asian Males.

See Workforce Data Tables "Table A6P: Mission-Critical Occupations" [Permanent] for further details.

**FY21 Trigger 4. Representation within the permanent workforce in the CFTC's largest, non-administrative divisions.** The CFTC's largest, non-administrative Divisions (Division of Enforcement, Division of Clearing and Risk, Division of Market Oversight, and Market Participants Division) tend to have higher than expected representation of White and Male employees, and less than expected representation of females and some people of color in their permanent workforce. For example, of the 172 permanent employees in the Division of Enforcement:

- 40% are Female, compared to 48.21% of the CLF;
- < are Hispanic or Latino Male compared to 6.82% of the CLF;
- < are Hispanic or Latina Female, compared to 6.16% of the CLF;
- < are Black or African American Male compared to 5.7% of the CLF;
- < are Black or African American Female compared to 6.61% of the CLF;
- 0% are Two or More Races Male compared to 1.05% of the CLF;
- 0% are Two or More Races Female compared to 1.05% of the CLF.

In contrast:

- 59.88% of employees were Male, though Males are only 51.79% of the CLF;
- 80% of employees were White, though Whites are only 67.47% of the CLF.

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See Workforce Data Tables "Table A2 Permanent Workforce by Component" for further details.

**FY21 Trigger 5. Applicant Flow Data. Lower than expected representation for Females and some categories of people of color in the application processes for the CFTC's mission critical occupations, overall new hires, and internal competitive promotions for mission critical occupations in the CFTC's permanent workforce.** For example:

- Amongst new hires for mission critical occupations in the permanent workforce, out of 24 selections, 0% were Black or African American Male, though Black or African American Males were 12.42% of the total qualified external applicants; (Positively, < of the selections were Black or African American Female, compared to 9.18% of the qualified external applicants and compared to 0% of the selections for FY20 and FY19, reversing past trends);
- Amongst internal competitive promotions for mission critical occupations in the permanent workforce, of the 18 selections, < were Female, though females were 38.86% of the qualified internal applicants; < were Black or African American Male though Black or African American males were 18.96% of the qualified applicants;
- Amongst the total new hires in the permanent and temporary workforce, out of the 44 new hires, < were Hispanic or Latina Female compared to 6.16% of the CLF.

See Workforce Data Tables "Table A6P: Mission Critical Occupations " for further details.

**FY21 Trigger 6. Lower than expected representation of Black or African American employees overall in pay of \$180,001 or greater in the Permanent Workforce.** Black or African American employees have lower than expected representation amongst the permanent workforce earning \$180,001 or greater, while White employees have higher than expected representation at that pay level.

- Though 17.1% of the permanent workforce was Black or African American, only 12.26% of individuals earning \$180,001 or greater were Black or African American;
- In contrast, though White employees were only 68.26% of the permanent workforce, they were 73.15% of the permanent employees earning \$180,001 or greater.

See Workforce Data Tables "Table A5P- Salary " for further details."

**Workforce Profile- Potential Barriers.** As discussed above, during FY20, former CFTC Chairman Tarbert contracted with Deloitte to conduct a study that included a 360-degree DEIA review and an agency-wide barrier analysis. The FY20 study identified the below potential barriers. The EEOC advised that the CFTC should resolve the previously identified barriers from FY20 before conducting a new barrier analysis and the CFTC has been working diligently to resolve the barriers throughout FY21 and FY22. The barriers identified were:

- "No Commission wide D&I strategy; No specific D&I strategy exists to guide initiatives and programming;"
- "Talent Processes do not Effectively Mitigate Bias: Standard Operating Procedures for talent processes do not actively remove barriers" and "Hiring, performance management, and promotions are highly subjective with no measures to combat biases. This reduces the ability of the CFTC to actively promote DEI through talent processes;"
- "No development programs for underrepresented groups: no programs exist to actively support the development of employees from underrepresented backgrounds;"
- "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 a diverse pool of candidates;"
- "Data only used to meet federal reporting requirements: workforce data is not strategically collected or leveraged to drive decision-making."

[1] The quantitative data throughout this report is the best available data. The agency is working to continue to improve its data collection and analysis in the long-term.

[2] Please note that this includes the total number of employees throughout FY22, not just those who were employed by the agency at the end of the fiscal year. This may differ from other CFTC reports which may calculate the number of total employees based on the number employed by the agency at the end of the fiscal year.

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[3] Targeted disabilities are defined as disabilities that the government has, for several decades, emphasized in hiring because they face the greatest barriers to employment, such as blindness, deafness, paralysis, and mental illnesses.

**EXECUTIVE SUMMARY: ACCOMPLISHMENTS**

The CFTC remains committed to preventing and addressing barriers to equal opportunity in the workplace and made positive progress in advancing EEO and DEIA in FY22. The following provides an update and overview of activity completed by the CFTC to correct previously-identified program deficiencies and barriers.

**Accomplishments Under Element A- Demonstrated Commitment from Agency Leadership.**

During FY22, the CFTC continued the review process for its updated reasonable accommodation and personal assistance services procedures so that they can be posted publicly in accordance with A.2.b.3; the procedures are in the final stages of internal review. The CFTC's OMWI also developed a draft virtual EEO training that it plans to launch before the close of 2023 to comply with A.2.c.1.

**Accomplishments Under Element B- Integration of EEO into Agency Mission.**

In FY22, CFTC Chairman Behnam demonstrated his strong support for EEO at the CFTC by approving the hiring of a total of four additional full-time employees in OMWI, bringing OMWI's full time employee total from three to seven—, a more than doubling in staffing between fiscal years. In addition, the CFTC approved a significant funding increase for OMWI in FY24, allowing the agency to comply with several measures under B.4.

Additionally, in FY22 the CFTC launched a new EEO training for supervisors; the CFTC partnered with expert trainers from the EEOC, who led the virtual, interactive experience. The training provided managers and supervisors with tools to: 1) recognize, respond to, and prevent harassment in the workplace; 2) identify and act on requests for reasonable accommodations; and 3) understand the EEO complaint process and manager/supervisor rights and responsibilities. The following modules were offered:

- Prevention and elimination of harassment/hostile work environments;
- Responding to requests for reasonable accommodations; and
- The EEO Complaint Process – rights and responsibilities.

Nearly 100% of CFTC supervisors completed the requirement: 155 out of 168 (92%) CFTC supervisors received the training. The CFTC is currently working on ways to ensure that all supervisors complete the training, including as new supervisors onboard to the agency or as they take on a new supervisory role to achieve 100% attendance and to fully comply with B.5.a.1, B.5.a.2, and B.5.a.5.

**Accomplishments Under Element C- Management and Program Accountability.**

In FY22, the CFTC continued to work to ensure that all of its policies and procedures comply with EEOC mandates. The CFTC's reasonable accommodation and personal assistance services procedures and its anti-harassment policy are in the final stages of internal review. We anticipate they will be finalized by the close of 2023, allowing the agency to comply with C.2.a, C.2.a.1, C.2.b, C.2.c.1, and C.2.c.2.

The CFTC made progress to better comply with indicator C.4.c, which requires that that the CFTC's EEO office has timely access to accurate and complete data required to prepare the MD-715 workforce data tables, including information on both the workforce's and applicant pool's race, ethnicity, sex, and disability statuses. As a result of these efforts, during FY22 the CFTC closed previous data gaps regarding separations, internal promotions, and occupational categories. Furthermore, the CFTC made progress on promoting self-identification of data by developing a new employee onboarding training. As part of that training, the CFTC encourages new employees to provide their demographic data within their Employee Personal Page (EPP) by providing a link to the EPP website, and by explaining that providing self-identifying demographic information helps the CFTC track progress on diversity, equity, inclusion, and accessibility. In addition, in FY22 the CFTC initiated conversation with the Director of the Division of Data regarding hiring a full-time data analyst to support OMWI and the Human Resources Branch to further accelerate the CFTC's progress in developing an effective and accurate demographic data collection system and to expand the CFTC's demographic data analysis efforts.

Finally, the agency has continued to work on its performance management reform initiative to fully comply with the

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**EXECUTIVE SUMMARY: ACCOMPLISHMENTS**

mandates of C.3.b.1 through C.3.b.9, which require all supervisors to be rated on specific EEO criteria. The CFTC has embarked on a process to improve the Commission's compensation and performance programs to support an evolving and expanding mission. The CFTC is committed to providing both a fair and competitive pay for performance model that will attract, retain, and reward high-performing employees at all levels. The CFTC's Performance Management and Pay Reforms (PMPR) are designed to ensure that changes to employee, supervisor, and Executive pay and performance are properly managed and enforced in a work environment that fosters employee growth and drives engagement. The CFTC Division of Administration's Human Resources Branch is updating the performance management processes for all CFTC staff – executives, supervisors, and employees. As part of this effort, the CFTC is developing an EEO/DEIA performance standard for Executives and supervisors, which is considering how to include the specific activities in Part G, Section C.3 of the MD-715 Instructions requiring agencies to evaluate managers and supervisors on their efforts to ensure equal employment opportunity and OMWI has been included as a strategic partner in this process. The CFTC is mapping out a project plan to strategically manage the reform effort and the accompanying change management strategy. The CFTC anticipates that the new EEO/DEIA performance standard for Executives and supervisors will be implemented as part of the FY24 performance cycle.

Additionally, the CFTC resolved the deficiencies under C.4.e.1, which requires the CFTC's EEO Office to collaborate with the HR office to implement the Affirmative Action Plan for individuals with disabilities.

**Accomplishments under Element D- Proactive Prevention.**

The CFTC has resolved deficiency D.4.d, as the agency has taken steps reasonably designed to increase the number of persons with disabilities and persons with targeted disabilities employed at the agency.

To address barriers listed in the FY20 report and described above in "*Executive Summary: Workforce Analysis*," the CFTC's Chairman hired the CFTC's first Chief Diversity, Equity, Inclusion and EEO Officer, who onboarded in January 2022. The Chief Diversity, Equity, Inclusion and EEO Officer is leading the CFTC's efforts to address the identified potential barriers.

To address the potential barrier "*No Commission wide D&I strategy; No specific D&I strategy exists to guide initiatives and programming*," the Chief Diversity, Equity, Inclusion and EEO Officer is currently leading the agency in a process to develop the CFTC's first ever stand-alone DEIA strategic plan. This plan will incorporate how the Commission will: center equity for underserved communities in all its business and mission operations; offer equitable procurement and contracting opportunities; attract and retain a diverse workforce; and develop a culture where all employees feel valued, safe, empowered and respected. In the development of the DEIA Strategic Plan the CFTC will prioritize the principles of: 1) data-driven and evidence-based decision-making; 2) continuous improvement; 3) sustainability and accountability; and 4) a corporate-level collaborative approach that engages and understands the perspectives of internal and external partners.

The CFTC has also made progress to address the barriers "*Talent processes do not effectively mitigate bias: standard operating procedures for talent processes do not actively remove barriers*" and "*Hiring, performance management, and promotions are highly subjective with no measures to combat biases. This reduces the ability of the CFTC to actively promote DEI through talent processes*;" and "*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 a diverse pool of candidates.*" The Chief Diversity, Equity, Inclusion and EEO Officer and her OMWI staff are currently working with the Human Resources Branch to integrate EEO and DEIA principles into the hiring processes, including establishing robust strategic recruitment processes and initiatives. During FY22, the CFTC initiated the hiring process for an Associate Director of Diversity, Equity, Inclusion, and Accessibility, and filled the position in FY23. OMWI initiated a staffing plan in FY22 that included hiring Outreach and Engagement Specialists to focus on proactively sourcing a diverse pool of candidates. Furthermore, in FY22 OMWI and the Human Resources Branch procured two new recruitment resources, LinkedIn Recruiter and Handshake, which will enable the CFTC to more effectively source diverse applicants and also utilize the systems' analytics tools to develop and track metrics.

EXECUTIVE SUMMARY: ACCOMPLISHMENTS

**Accomplishments Under Element E- Efficiency.**

The CFTC worked to comply with E.3.a-f, which requires the CFTC to establish and encourage the widespread use of a fair alternative dispute resolution (ADR) program. Though still not fully compliant, the CFTC has taken steps to increase its participation rate in ADR during the pre-complaint stage. From FY19-FY21, the CFTC had a 0% ADR participation rate for the 18 EEO counselings completed during that period. In contrast, in FY22, the CFTC had an ADR participation rate during the pre-complaint stage of 40% (the aggrieved elected ADR in two of five EEO counselings), approaching the EEOC's goal that agencies utilize ADR in 50% of EEO counselings.

As described under "*Accomplishments Under Element C- Management and Program Accountability*" above, the CFTC has worked to comply with E.4.a.2, E.4.a.3, E.4.a.4, and E.4.b, which require the CFTC to have systems in place to accurately collect, monitor, and analyze its recruitment activities as well as the race, national origin, sex, and disability status of agency employees and applicants for employment, and also to have a system in place to re-survey the workforce on a regular basis. Currently, an employee from the CFTC's Division of Data is supporting OMWI in addressing its data challenges, and, as described above, in FY22 the CFTC initiated conversations with the Director of the Division of Data to support OMWI and the Human Resources Branch to further accelerate the CFTC's progress in developing an effective and accurate demographic data collection system and to expand the CFTC's demographic data analysis efforts.

**Accomplishments Under Element F- Efficiency.**

The CFTC has resolved compliance deficiency F.3.b, and is now timely posting on its public webpage its quarterly No FEAR Act data. The data can be found here: <https://www.cftc.gov/WebPolicy/EEONoFearAct/index.htm>.

**EXECUTIVE SUMMARY: PLANNED ACTIVITIES**

The CFTC plans to engage in a number of tasks to work towards a model EEO program. The actions the CFTC plans to take to address deficiencies and barriers are described below. The compliance indicator/measure number that each activity will address is listed in parentheses.

**Planned Activities Under Element A- Demonstrated Commitment from Agency Leadership.**

To ensure that the CFTC provides training to its employees on the EEO complaint process, the CFTC will launch a new EEO complaint process training. The agency will also determine how often employees will need to complete the training, and when new employees will be required to complete it (A.2.c.1). To ensure that employees know what behaviors are not appropriate in the workplace and could result in disciplinary action, the CFTC will finalize and issue its new anti-harassment policy, which will contain examples of behaviors that are not appropriate for the workplace (A.2.c.5). Finally, to ensure that all employees and applicants for employment can access the agency's reasonable accommodation process, the CFTC will continue to vet the reasonable accommodation procedures through internal review and will post them on the CFTC's public facing website when they are complete (A.2.b.3).

**Planned Activities Under Element B- Integration of EEO into Agency Mission.**

In FY22, OMWI was approved to hire a total of four full time employees, bringing OMWI's full time employee total from three to seven—a 133% increase; in addition, the CFTC approved a significant funding increase for OMWI in FY24. In FY23 and into FY24, OMWI will conduct the hiring processes for those employees, including hiring a new Associate Director of Equal Employment Opportunity in FY23. The new Chief Diversity, Equity, Inclusion and EEO Officer will continuously evaluate OMWI's future resource needs and will submit additional staffing and resource requests, as needed, to develop a robust EEO program, including the work of proactive prevention through a barrier analysis of its workforce (B.4.a.2)

The Chief Diversity, Equity, Inclusion and EEO Officer will coordinate with the training office and other stakeholders on creating systems to train managers and supervisors on their responsibilities under the agency's EEO complaint process pursuant to 29 CFR § 1614.102(a)(5) with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR, the agency's reasonable accommodation procedures, and supervisory, managerial, communication, and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications (B.5.a.1, B.5.a.2, B.5.a.3, B.5.a.4, B.5.a.5). The CFTC will focus in particular on training the remaining supervisors who did not complete the EEO supervisory training offered in FY21 through FY22, and on establishing systems and processes to provide and track training for new supervisors.

The Chief Diversity, Equity, Inclusion and EEO Officer will develop a plan to identify stakeholders, strategies, and key metrics to ensure that EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities (B.3.a) and that the agency has allocated sufficient funding and qualified staffing to effectively manage its anti-harassment program (B.4.a.9).

**Planned Activities Under Element C- Management and Program Accountability.**

Updates to the performance management form are underway and are anticipated to be completed as part of the agency's pay and performance management reform initiative. That reform effort will consider how rating officials may evaluate the performance of managers and supervisors based on: their ability to resolve EEO problems/ disagreements/conflicts, including participation in ADR proceedings; provide religious accommodations when such accommodations do not cause an undue hardship; comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority; ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees; ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators; ensure a workplace that is free from all

**EXECUTIVE SUMMARY: PLANNED ACTIVITIES**

forms of discrimination, including harassment and retaliation; provide disability accommodations when such accommodations do not cause an undue hardship; support the EEO program in identifying and removing barriers to equal opportunity; and support the anti-harassment program in investigating and correcting harassing conduct. (C.3.b.1, C.3.b.2, C.3.b.3, C.3.b.4, C.3.b.5, C.3.b.6, C.3.b.7, C.3.b.8, C.3.b.9). Specific activities with a target date of 9/30/2024 will include:

1. Develop an EEO/DEIA performance standard for executives, supervisors, and employees;
2. Map out a project plan to strategically manage the reform effort and change management strategy; and
3. Implement the reform effort and change management strategy.

Moreover, the CFTC will consider next steps regarding potentially developing a disciplinary policy that covers discriminatory conduct. (C.5.a).

The CFTC will continue to work to establish an anti-harassment policy and disability reasonable accommodation and personal assistance services procedures that comply with EEOC's regulations and guidance. Additionally, OMWI will: consider what changes may need to be made to inform the anti-harassment program of all EEO counseling activity alleging harassment; will assess a way to establish a firewall between the Anti-harassment Coordinator and the EEO Director; and the agency will ensure that its anti-harassment policy training materials include examples of disability-based harassment (C.2.a, C.2.a.1, C.2.a.2, C.2.a.4, C.2.a.5, C.2.a.6, C.2.b, C.2.b.4, C.2.c, C.2.c.1).

The agency will develop a strategy and a process for establishing timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups (C.4.b).

The Human Resources Branch will work to establish practices for collecting required data under its purview where such practices may not already be in place. OMWI and the Human Resources Branch will partner to develop an education campaign around the importance of self-identification. New resources will be identified to support the CFTC's data needs (C.4.c).

**Planned Activities under Element D- Proactive Prevention.**

To address the barriers identified in this report, the CFTC plans to:

- Create an agency-wide 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, including further actions/activities that we will implement to address potential barriers to people with disabilities. We will consider how to expand the CFTC's Affirmative Action Plan for the Recruitment, Hiring, Advancement, and Retention of Persons with Disabilities 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 and persons with targeted disabilities;
- Create a diversity recruitment plan;
- Integrate bias mitigation measures and DEIA best practices into the hiring and selection processes;
- Use strategic talent acquisitions platforms to build an intentional and strategic approach to attracting diverse applicants;
- Continue to analyze applicant flow data to better understand by grade, position, and division where potential triggers may exist;
- 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.
- 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.

**EXECUTIVE SUMMARY: PLANNED ACTIVITIES**

Finally, the Chief Diversity, Equity, Inclusion and EEO Officer will develop a plan to identify stakeholders, strategies, and key metrics to ensure that the agency: establishes a process for analyzing identified triggers to find possible barriers; regularly examines the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability; considers whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments; regularly reviews complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups to find barriers; effectively tailors action plans to address the identified barriers, in particular policies, procedures, or practices; implements a plan in Part I, if the agency identified one or more barriers during the reporting period, including meeting the target dates for the planned activities; and periodically reviews the effectiveness of the agency's EEO action plans. (D.2.a, D.2.b, D.2.c, D.2.d, D.3.a, D.3.b, D.3.c)

**Planned Activities under Element E- Efficiency.**

The CFTC will engage in a number of activities to strengthen its approach to alternative dispute resolution (ADR). The Chief Diversity, Equity, Inclusion and EEO Officer, along with a new Associate Director of EEO who will onboard in 2023, will assess and start to implement next steps to coordinate with stakeholder offices to develop systems, processes, and policies to: ensure a management official with settlement authority is accessible during the dispute resolution process; ensure that there is a policy to mandate that managers and supervisors participate in ADR once it has been offered; prohibit the responsible management official named in the dispute from having settlement authority; annually evaluate the effectiveness of the CFTC's ADR program; encourage all employees to use ADR, where ADR is appropriate; and establish an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process (E.3.a, E.3.b, E.3.c, E.3.d, E.3.e, E.3.f).

The CFTC will also work to improve its data collection. The Chief Data Officer, the Chief Diversity, Equity, Inclusion and EEO Officer, and the Chief Human Capital Officer will coordinate amongst themselves and other stakeholder offices to develop resources, systems, and processes to fully collect, monitor, and analyze external and internal applicant flow data concerning applicants' race, national origin, sex, and disability status as well as its recruitment activities. The CFTC will assess and start to implement next steps to create a system to re-survey the workforce on a regular basis (E.4.a.2, E.4.a.3, E.4.a.4, E.4.b).

**Planned Activities under Element F- Responsiveness and Legal Compliance.**

The CFTC will work to ensure that it timely submits its annual No FEAR Act report (F.3.a).

**Planned Further Disability Program Activities.**

The CFTC will evaluate what further training is needed for Disability Program Staff in order to carry out their responsibilities. 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, and she will work with stakeholder offices to ensure that hiring managers are trained on the use of hiring authorities that take disability into account.

The CFTC has launched a new employee affinity group for People with Disabilities (PWD) and will work with that group to establish and maintain contacts with organizations that can connect the agency with PWD and People with Targeted Disabilities (PWTD). The CFTC will work through its DEIA strategic plan to further develop an approach to ensure advancement opportunities for PWD, including consideration of the use of details, job assignments, and mentoring.

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

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

Principal EEO Director/Official for

[Redacted]  
(Insert Agency/Component Name above)

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

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

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

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

Date

Signature of Agency Head or Agency Head Designee

Date

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Agency Self-Assessment Checklist

Essential Element: A Demonstrated Commitment From agency Leadership

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	A.1. The agency issues an effective, up-to-date EEO policy statement.				
	A.1.a. Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "Yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	X			04/14/2022 The statement was not on letterhead, but it was emailed from the agency Chairman's email address with a message from him within 120 days of the Chairman's appointment. 4/14/2022
	A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	X			

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Agency Self-Assessment Checklist

→ Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
↓ Measures		Yes	No	N/A	
	A.2. The agency has communicated EEO policies and procedures to all employees.				

A.2.a. Does the agency disseminate the following policies and procedures to all employees:

A.2.a.1. Anti-harassment policy? [see MD 715, 11(A)]	X			
A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]	X			

A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:

A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	X			
A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR §1614.102(b)(5)]	X			
A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.		X		

A.2.c. Does the agency inform its employees about the following topics:

A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often and the means by which such training is delivered.		X		An online training is being developed and will be launched by end of 2023.
A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	X			The agency's internal policy page outlines guidance on the agency's ADR process.
A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	X			Reasonable accommodation information is found within the collective bargaining agreement and on the agency intranet.
A.2.c.4. Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.	X			Anti-harassment information is disseminated through collective bargaining agreement and EEO and anti-harassment statement issued annually.

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Agency Self-Assessment Checklist

A.2.c.5. Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR §2635.101(b)] If “yes”, please provide how often.

X

The agency is considering options for how to disseminate that information; the information is likely to be included in the dissemination of the agency's pending anti-harassment policy.

 Compliance Indicator

Measure Has Been Met

For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report

 Measures

A.3. The agency assesses and ensures EEO principles are part of its culture.

Yes

No

N/A

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

X

Employees are eligible for an award based on their contributions to diversity, equity, and inclusion each year through the Chairman's honorary awards program.

A.3.b. Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]

X

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Agency Self-Assessment Checklist

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

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.1. The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.				
	B.1.a. Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	X			
	B.1.a.1. If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.			X	Not applicable
	B.1.a.2. Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	X			
	B.1.b. Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	X			
	B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.	X			09/16/2022
	B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	X			

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.2. The EEO Director controls all aspects of the EEO program.				
B.2.a.	Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			
B.2.b.	Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			
B.2.c.	Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
B.2.d.	Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
B.2.e.	Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			
B.2.f.	Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	X			
B.2.g.	If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (c)(3)]			X	Not Applicable

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.				
	B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]		X		EEO program officials were not included in meetings regarding workforce changes that might impact EEO issues, such as meetings regarding training opportunities.
	B.3.b. Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.		X		EEO is integrated into the agency's mission and is included in the 2022-2026 Strategic Plan under Strategic Goal 5. Strategic Goal 5.1 commits the organization to "embracing and embedding equal opportunity, diversity, equity, inclusion, and accessibility (DEIA) principles and best practices into all Commission operations."

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	B.4. The agency has sufficient budget and staffing to support the success of its EEO program.				
B.4.a. Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:					
	B.4.a.1. to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	X			
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			
	B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	X			
	B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]		X		Please note that the CFTC's Chairman has significantly increased the staffing and resources available to OMWI and the EEO program. The CFTC will work to continue to resolve this performance measure to ensure there are sufficient resources allocated to barrier analysis efforts to continue the positive trend.
	B.4.a.3. to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR §§ 1614.102(c)(5); 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	X			
	B.4.a.4. to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	X			
	B.4.a.5. to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]			X	The CFTC does not have components or field offices.
	B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	X			
	B.4.a.7. to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)] If not, please identify the systems with insufficient funding in the comments section.	X			

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B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women’s Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]	X			
B.4.a.9. to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I; EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]		X		Please note that the CFTC's Chairman has significantly increased the staffing and resources available to OMWI and the EEO program. The CFTC will work to continue to resolve this performance measure to ensure there are sufficient resources allocated to the Human Resources Branch's anti-harassment program to continue the positive trend.
B.4.b. Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	X			
B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	X			
B.4.d. Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II) (A) of MD-110?			X	The agency did not utilize new counselors or investigators.
B.4.e. Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills				

B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:

B.5.a.1. EEO complaint process? [see MD-715(II)(B)]		X		A new training is being developed and will be launched by the end of 2023.
B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]		X		
B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]		X		
B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]		X		
B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]		X		

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	B.6. The agency involves managers in the implementation of its EEO program.				

B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	X			
B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	X			
B.6.c. When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	X			
B.6.d. Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR §1614.102(a)(5)]	X			

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Essential Element: C Management and Program Accountability

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

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.2. The agency has established procedures to prevent all forms of EEO discrimination.				
	C.2.a. Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]		X		The agency has an anti-harassment article in its Collective Bargaining Agreement. The agency has drafted a new anti-harassment policy and procedures that comply with EEOC guidance and that are in the final stages of internal review.
	C.2.a.1. Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]		X		The agency has an anti-harassment article in its Collective Bargaining Agreement. The agency has drafted a new anti-harassment policy and procedures that comply with EEOC guidance and that are in the final stages of internal review.
	C.2.a.2. Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]		X		The CFTC has not established a firewall between the Anti-Harassment Coordinator and the EEO Director.
	C.2.a.3. Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	X			
	C.2.a.4. Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [See Enforcement Guidance, V.C.]		X		OMWI will update its counseling process to ensure compliance.

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C.2.a.5. Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see Complainant v. Dep't of Veterans Affairs, EEOC Appeal No. 0120123232 (May 21, 2015); Complainant v. Dep't of Defense (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.			X	Unknown.
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)]		X		The agency will develop anti-harassment training materials that include such examples.
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)]		X		The CFTC has drafted reasonable accommodation and personal services procedures that comply with the EEOC's regulations and guidance. They are in the final stages of internal review and will be posted as soon as they are finalized.
C.2.b.1. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR §1614.203(d)(3)(D)]	X			
C.2.b.2. Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	X			
C.2.b.3. Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR §1614.203(d)(1)(ii)(B)]	X			
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)]		X		
C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If "no", please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.			X	Current procedures do not state timelines for initial accommodation requests.
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)]		X		The CFTC has drafted reasonable accommodation and personal services procedures that comply with the EEOC's regulations and guidance. They are in the final stages of internal review and will be posted as soon as they are finalized.

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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.

X

The CFTC has drafted reasonable accommodation and personal services procedures that comply with the EEOC's regulations and guidance. They are in the final stages of internal review and will be posted as soon as they are finalized.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.				
	C.3.a. Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	X			
	C.3.b. Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:				
	C.3.b.1. Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]		X		While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.
	C.3.b.2. Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]		X		While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

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C.3.b.3. Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]

X

While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

C.3.b.4. Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]

X

While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]

X

While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

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C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [ see 29 CFR §1614.102(a)(8)]

X

While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]

X

While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]

X

While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

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C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]

X

While all supervisors are rated on their adherence to EEO principles and promoting diversity and inclusion in general per C.3.a, the specific activities listed from C.3.b.1 through C.3.b.9 are not part of supervisor ratings yet, but will be incorporated into future updates of the performance form. Exact wording is TBD.

C.3.c. Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]

X

C.3.d. When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]

X

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	C.4. The agency ensures effective coordination between its EEO program and Human Resources (HR) program.				
	C.4.a. Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	X			
	C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]		X		The CFTC does not have established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups.
	C.4.c. Does the EEO office have timely access to accurate and complete data (e.g., demographic data for the workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]		X		The agency will place an increased emphasis on encouraging employee self-identification to ensure that all of the quantitative workforce data provided to the EEO office is accurate and will work to establish practices for collecting required data where such practices may not already be in place.

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C.4.d. Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]	X			
C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:				
C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	X			
C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]			X	The CFTC had not yet started recruitment and outreach initiatives.
C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]	X			
C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	X			
C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]	X			

 <b>Compliance Indicator</b>		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 <b>Measures</b>	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.				
C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]			X		The agency has a disciplinary policy within its collective bargaining agreement, but it does not explicitly refer to discriminatory conduct. The agency will explore options on how to remedy this.
C.5.b. When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.				X	The agency did not have findings of discrimination during this reporting period.
C.5.c. If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct (e.g., post mortem to discuss lessons learned)? [see MD-715, II(C)]				X	The agency did not have findings or settlements falling into this category.

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

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Essential Element: D Proactive Prevention

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.				
	D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	X			
	D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	X			
	D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)	Yes	No	N/A	
	D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]		X		
	D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]		X		
	D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]		X		
	D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.		X		

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	D.3. The agency establishes appropriate action plans to remove identified barriers.				
	D.3.a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]		X		
	D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]		X		
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]		X		
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.	Yes	No	N/A	
	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.	X			<a href="https://www.cftc.gov/About/DiversityAndIncluEEO">https://www.cftc.gov/About/DiversityAndIncluEEO</a>
	D.4.b. Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR §1614.203(d)(1)(i)]	X			
	D.4.c. Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR §1614.203(d)(1)(ii)(A)]	X			
	D.4.d. Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR §1614.203(d)(7)(ii)]	X			

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Agency Self-Assessment Checklist

Essential Element: E Efficiency

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.				
E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?		X			
E.1.b. Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?		X			
E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?		X			
E.1.d. Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.		X			The average processing time to issue acceptance letters/dismissal decisions after receipt of a formal complaint in FY22 was 8 days.
E.1.e. Does the agency ensure that all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?		X			
E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?		X			
E.1.g. If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?		X			
E.1.h. When the complainant did not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?		X			
E.1.i. Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?		X			
E.1.j. If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.		X			Contractors are held accountable through firm deadlines and quality assurance reviews conducted by CFTC prior to accepting the work product.
E.1.k. If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]		X			
E.1.l. Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]		X			

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

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.				
E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]			X		The CFTC has not established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process.
E.3.b. Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]			X		The CFTC does not require managers and supervisors to participate in ADR once it has been offered.
E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]			X		The CFTC does not encourage all employees to use ADR, where ADR is appropriate.
E.3.d. Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]			X		The CFTC does not ensure a management official with settlement authority is accessible during the dispute resolution process.
E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]			X		The CFTC does not prohibit the responsible management official named in the dispute from having settlement authority.
E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]			X		The CFTC does not annually evaluate the effectiveness of its ADR program.

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program.				
E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data:					
	E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	X			
	E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]		X		The CFTC does not have systems in place to accurately collect, monitor, and analyze the race, national origin, sex, and disability status of agency employees.
	E.4.a.3. Recruitment activities? [see MD-715, II(E)]		X		The CFTC does not have systems in place to accurately collect, monitor, and analyze recruitment activities.
	E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]		X		The CFTC does not have systems in place to accurately collect, monitor, and analyze external and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status.
	E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]	X			
	E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	X			
	E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]		X		The CFTC does not have a system in place to re-survey the workforce on a regular basis.

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Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	E.5. The agency identifies and disseminates significant trends and best practices in its EEO program.				
E.5.a. Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			Trends in complaint activity are monitored regularly and reported annually.
E.5.b. Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.		X			CFTC participates in the Small Agency Council (SAC), and other working groups where EEO best practices are shared.
E.5.c. Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]		X			

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Agency Self-Assessment Checklist

Essential Element: F Responsiveness and Legal Compliance

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.				
	F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	X			
	F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	X			
	F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	X			
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X			
	F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	X			
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.	Yes	No	N/A	
	F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	X			
	F.2.a.1. When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	X			
	F.2.a.2. When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	X			
	F.2.a.3. When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	X			
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	X			

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 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
 Measures	F.3. The agency reports to EEOC its program efforts and accomplishments.				
F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]			X		Starting in FY23, the CFTC started submitting the required annual No FEAR Act report, however it was not timely in FY23.
F.3.b. Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]		X			Starting in FY23, the CFTC started timely posting on its public webpage its quarterly No FEAR Act data.

Essential Element:  Other

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Plan to Attain Essential Elements

PART H.1

Brief Description of Program Deficiency:	A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If “yes”, please provide how often and the means by which such training is delivered.
The CFTC does not currently provide a training to its employees on the EEO complaint process.	

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/07/2022	12/31/2023			Provide a training to all agency employees on the EEO complaint process.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	The agency will launch a new EEO complaint process training for all CFTC employees. The agency will also determine how often employees will need to complete the training, and when new employees will be required to complete it.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2021	The agency has drafted an online training on the EEO complaint process that is awaiting internal review.
2022	CFTC Chairman Behnam mandated that all supervisors complete four hours of EEO training. The training provided managers and supervisors with tools to: 1) recognize, respond to, and prevent harassment in the workplace; 2) identify and act on requests for reasonable accommodations; and 3) understand the EEO complaint process and manager/supervisor rights and responsibilities. The CFTC also laid plans to hire an Associate Director of EEO, who will onboard in FY23 and continue to build out the CFTC's EEO training efforts, including an all-employee EEO training.

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Plan to Attain Essential Elements

PART H.2

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.

The CFTC does not post its reasonable accommodation procedures on its public facing website.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
07/19/2022	09/30/2024			Post the agency's reasonable accommodation procedures on its public facing website, once they are approved internally.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes
Director of the Office of Public Affairs	Steven Adamske	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The agency will continue to vet the reasonable accommodation procedures through internal review and will post them when they are complete.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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Plan to Attain Essential Elements

PART H.3

Brief Description of Program Deficiency: A.2.c.5. Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR §2635.101(b)] If "yes", please provide how often.

The agency does not inform its employees of behaviors that are inappropriate in the workplace.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2023			Inform agency employees of behaviors that are inappropriate in the workplace.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The agency will issue its anti-harassment policy, which will contain examples of behaviors that are not appropriate for the workplace.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC worked to finalize its anti-harassment policy and it is in the final stages of internal review.

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Plan to Attain Essential Elements

PART H.4

Brief Description of Program Deficiency:

B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]

The EEO program does not have sufficient resources to enable the agency to conduct a thorough barrier analysis of its workforce.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/28/2022	09/30/2024			Allocate sufficient resources to to enable the agency to conduct a thorough barrier analysis of its workforce.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The agency has allocated additional staffing to the Office of Minority and Women Inclusion. The new Chief Diversity, Equity, Inclusion and EEO Officer is continuously assessing what additional resources are needed and is submitting additional funding and staffing requests for consideration.	No		

Accomplishments

Fiscal Year	Accomplishment
2022	In FY22, OMWI was approved to hire a total of four full time employees, bringing OMWI's full time employee total from three to seven. In addition, the CFTC approved a significant funding increase for OMWI in FY24.

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Plan to Attain Essential Elements

PART H.5

Brief Description of Program Deficiency:

B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]

Not all managers and supervisors have received orientation, training, and advice on their responsibilities under the agency's anti-harassment policy.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/07/2022	12/31/2023			Ensure that all managers and supervisors have received orientation and training on their responsibilities under the agency's anti-harassment policy.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	The Chief Diversity, Equity, Inclusion and EEO Officer will coordinate with the Human Resources Branch's training office and other stakeholders to ensure that all managers and supervisors receive training on the CFTC's anti-harassment policy.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC launched a new mandatory EEO training for supervisors. The following modules were offered: <ul style="list-style-type: none"> <li>• Prevention and elimination of harassment/hostile work environments;</li> <li>• Responding to requests for reasonable accommodations; and</li> <li>• The EEO Complaint Process – rights and responsibilities.</li> </ul>

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Plan to Attain Essential Elements

PART H.6

Brief Description of Program  
Deficiency:

B.5.a.1. EEO complaint process? [see MD-715(II)(B)]

Not all managers and supervisors have received orientation, training, and advice on their responsibilities under the agency's EEO complaint process pursuant to 29 CFR §1614.102(a)(5).

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/07/2022	12/31/2023			Ensure that all managers and supervisors have received orientation and training on their responsibilities under the agency's EEO complaint process pursuant to 29 CFR §1614.102(a)(5).

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	The agency will launch a new EEO complaint process training for all agency employees, including supervisors and managers, pursuant to 29 CFR §1614.102(a)(5).	Yes		

Accomplishments

Fiscal Year	Accomplishment
2021	The agency has drafted a new online EEO complaint process training that is under internal review.
2022	The CFTC launched a new mandatory EEO training for supervisors. The following modules were offered: <ul style="list-style-type: none"> <li>• Prevention and elimination of harassment/hostile work environments;</li> <li>• Responding to requests for reasonable accommodations; and</li> <li>• The EEO Complaint Process – rights and responsibilities.</li> </ul>

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Plan to Attain Essential Elements

PART H.7

Brief Description of Program Deficiency:	B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]
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All CFTC managers and supervisors have not received orientation, training, and advice on supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	12/31/2025			Ensure all CFTC managers and supervisors have received orientation, training, and advice on supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.8

Brief Description of Program Deficiency:	B.4.a.9. to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I; EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]
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The CFTC has not allocated sufficient funding and qualified staffing to effectively manage its anti-harassment program.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the CFTC has allocated sufficient funding and qualified staffing to effectively manage its anti-harassment program.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.9

Brief Description of Program Deficiency:	B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]
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EEO program officials do not participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that CFTC EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.10

Brief Description of Program Deficiency: B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]

During FY21, not all managers and supervisors received orientation, training, and advice on their responsibilities regarding ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
09/12/2022	09/30/2023			Ensure that all managers and supervisors receive orientation, training, and advice on their responsibilities regarding ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The Chief Diversity, Diversity, Equity, Inclusion and EEO Officer will coordinate with the training office and other stakeholders to ensure that all managers and supervisors receive training on ADR.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC launched a new mandatory EEO training for supervisors. The following modules were offered: <ul style="list-style-type: none"> <li>• Prevention and elimination of harassment/hostile work environments;</li> <li>• Responding to requests for reasonable accommodations; and</li> <li>• The EEO Complaint Process – rights and responsibilities.</li> </ul>

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Plan to Attain Essential Elements

PART H.11

Brief Description of Program Deficiency:	B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]
During FY21, not all managers and supervisors had received orientation, training, and advice on their responsibilities under the agency's reasonable accommodation procedures.	

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
09/15/2022	09/30/2023			Ensure all agency managers and supervisors receive orientation, training, and advice on the agency's reasonable accommodation procedures.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The CFTC will schedule an EEO compliance training for supervisors and managers that includes reasonable accommodation procedures.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC launched a new mandatory EEO training for supervisors. The following modules were offered: <ul style="list-style-type: none"> <li>• Prevention and elimination of harassment/hostile work environments;</li> <li>• Responding to requests for reasonable accommodations; and</li> <li>• The EEO Complaint Process – rights and responsibilities.</li> </ul>

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Plan to Attain Essential Elements

PART H.12

Brief Description of Program Deficiency:

C.3.b.1. Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]

The agency does not require rating officials to evaluate the performance of managers and supervisors based on their ability to resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2020	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on their ability to resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.13

Brief Description of Program Deficiency: C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]

The agency does not require rating officials to evaluate the performance of managers and supervisors based on their ability to provide religious accommodations when such accommodations do not cause an undue hardship.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on their ability to provide religious accommodations when such accommodations do not cause an undue hardship.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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Plan to Attain Essential Elements

PART H.14

Brief Description of Program Deficiency: C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]

The agency does not require rating officials to evaluate the performance of managers and supervisors based on their ability to comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on their ability to comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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Plan to Attain Essential Elements

PART H.15

Brief Description of Program Deficiency: C.2.a.2. Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]

The CFTC has not established a firewall between the Anti-Harassment Coordinator and the EEO Director.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2023			Establish a Firewall between the Anti-harassment Coordinator and the EEO Director.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The Chief Diversity, Equity, Inclusion and EEO Officer will assess a way to establish a firewall between the Anti-harassment Coordinator and the EEO Director.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The Chief Diversity, Equity, Inclusion and EEO Officer laid plans to hire an Associate Director of EEO, who will work to establish standard operating procedures ensure the firewall is in place.

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Plan to Attain Essential Elements

PART H.16

Brief Description of Program Deficiency:	C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]
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The agency does not have established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2024			Ensure the CFTC establishes timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The agency will develop a strategy and a process for establishing timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC developed plans to hire a new Associate Director of Equal Employment Opportunity, who will be lead the development of these processes after they onboard in 2023.

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Plan to Attain Essential Elements

PART H.17

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)]

The agency's training materials on its anti-harassment policy do not include examples of disability based harassment.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/10/2022	12/31/2023			Ensure that the agency's training materials on its anti-harassment policy include examples of disability-based harassment.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC launched a new mandatory EEO training for supervisors. The training included examples of disability-based harassment.

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Plan to Attain Essential Elements

PART H.18

Brief Description of Program Deficiency: C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]

The agency does not have a disciplinary policy and/or table of penalties that covers discriminatory conduct.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/17/2022	12/31/2025			Ensure that the agency has a disciplinary policy that covers discriminatory conduct.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2025	The agency will consider options for a disciplinary policy to ensure that discriminatory conduct is explicitly covered.	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.19

Brief Description of Program Deficiency: C.2.a.4. Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [See Enforcement Guidance, V.C.]  
The agency doesn't yet ensure that the EEO Office informs the anti-harassment program of all EEO counseling activity alleging harassment.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/07/2022	09/30/2024			Ensure the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The agency will examine its policies and procedures as well as consider internal standard operating procedures for the OMWI office to determine what changes may need to be made to comply with this requirement.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	Chief Diversity, Equity, Inclusion and EEO Officer laid plans to hire a new Associate Director of EEO who will be tasked with establishing standard operating procedures to remedy this deficiency.

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Plan to Attain Essential Elements

PART H.20

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

The Agency is unable to provide the EEO office with all of the accurate data points needed for the MD-715 report.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
04/10/2020	09/30/2024			Create systems needed to accurately collect all data points required for the MD-715 report.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Data Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The Human Resources Branch will reach out to employees on a regular basis to encourage employee self-identification and ensure that all of the quantitative workforce data provided to the EEO office is accurate and will work to establish practices for collecting required data under its purview where such practices may not already be in place. OMWI will develop an education campaign around the importance of self-identification. New resources will be designated to support agency's data needs.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2021	Progress has been made in providing data that was not previously provided in FY20: for example, the required MD-715 separation data is now being provided to the EEO office.
2022	During FY22 the CFTC made progress on promoting self-identification of data by starting to plan to develop a new employee onboarding training, which was finished in FY23. As part of that training, the CFTC encourages new employees to provide their demographic data within their Employee Personal Page (EPP) by providing a link to the EPP website, and by explaining that providing self-identifying demographic information helps the CFTC track progress on diversity, equity, inclusion, and accessibility. In addition, in FY22 the CFTC started to consider the possibility of hiring a full-time data analyst within the Division of Data to support OMWI and the Human Resources Branch to further accelerate the CFTC's progress in developing an effective and accurate demographic data collection system and to expand the CFTC's demographic data analysis efforts.

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Plan to Attain Essential Elements

PART H.21

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)]
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The CFTC's reasonable accommodation procedures do not clearly state that the agency should process the request within a maximum amount of time.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the CFTC's reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.22

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.  
The agency does not post its procedures for processing requests for personal assistance services on its public website.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			The agency will post its procedures for processing requests for personal assistance services on its public website.

Responsible Officials

Title	Name	Standards Address the Plan?
Director of the Office of Public Affairs	Steven Adamske	Yes
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC continued to process its draft personal assistance services procedures and they are currently in the final stages of internal review.

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Plan to Attain Essential Elements

PART H.23

Brief Description of Program Deficiency: C.3.b.4. Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]

The agency does not require rating officials to evaluate the performance of managers and supervisors on their ability to ensure subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on the activities listed in C.3.b1-C.3.b.9

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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Plan to Attain Essential Elements

PART H.24

Brief Description of Program Deficiency:

C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]

The agency does not require rating officials to evaluate the performance of managers and supervisors based on their ability to support the anti-harassment program in investigating and correcting harassing conduct.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on their ability to support the anti-harassment program in investigating and correcting harassing conduct.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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Plan to Attain Essential Elements

PART H.25

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)]

The agency has not established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/08/2021	09/30/2023			Establish disability reasonable accommodation procedures that comply with the EEOC's regulations and guidance.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC continued to process its draft reasonable accommodation procedures and they are currently in the final stages of internal review.

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Plan to Attain Essential Elements

PART H.26

Brief Description of Program Deficiency:	C.2.a. Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]
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Though the agency has an anti-harassment article in the collective bargaining agreement, the agency has not established a comprehensive anti-harassment policy and procedures that comply with the EEOC's enforcement guidance.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2023			Though the agency has an anti-harassment article in the collective bargaining agreement, the agency has not established a comprehensive anti-harassment policy and procedures that comply with the EEOC's enforcement guidance.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The agency's anti-harassment policy and procedures will be updated to comply with the EEOC's enforcement guidance.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2021	The agency worked on drafting an update to its anti-harassment policy and procedures and researched practices from other agencies. The agency's new draft anti-harassment policy and procedures are being reviewed internally.
2022	The CFTC continued to process the draft anti-harassment policy and procedures through internal review.

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Plan to Attain Essential Elements

PART H.27

Brief Description of Program Deficiency:	C.2.a.1. Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]
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Though the agency has an anti-harassment article in the collective bargaining agreement, there is no requirement for corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2023			Include a requirement within the anti-harassment policy to prevent or eliminate conduct before it rises to the level of unlawful harassment.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
02/04/2023	The agency will update its anti-harassment policy/procedures to include a requirement to prevent or eliminate conduct before it rises to the level of unlawful harassment.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2021	The agency worked on drafting an update to its anti-harassment policy and procedures that includes this requirement. The agency's updated draft anti-harassment policy and procedures are being reviewed internally.
2022	The CFTC continued to process the draft anti-harassment policy and procedures through internal review.

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Plan to Attain Essential Elements

PART H.28

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)]  
The agency has not established procedures for processing personal assistance services that comply with EEOC's regulations and guidance.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/08/2021	09/30/2024			Establish procedures for processing personal assistance services that comply with EEOC's regulations and guidance.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC continued to process its draft personal assistance services procedures and they are currently in the final stages of internal review.

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Plan to Attain Essential Elements

PART H.29

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)]

The agency does not 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.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			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.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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Plan to Attain Essential Elements

PART H.30

Brief Description of Program Deficiency: C.3.b.2. Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]

The agency does not require rating officials to evaluate the performance of managers and supervisors based on their ability to ensure full cooperation of employees under their supervision with EEO officials, such as counselors and investigators.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on their ability to ensure full cooperation of employees under their supervision with EEO officials, such as counselors and investigators.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.31

Brief Description of Program Deficiency: C.3.b.3. Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]

The agency does not require rating officials to evaluate the performance of managers and supervisors based on their ability to ensure a workplace that is free from all forms of discrimination, including harassment and retaliation.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on their ability to ensure a workplace that is free from all forms of discrimination, including harassment and retaliation

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.32

Brief Description of Program Deficiency:

C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]

The agency does not require rating officials to evaluate the performance of managers and supervisors based on their ability to support the EEO program in identifying and removing barriers to equal opportunity.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
02/04/2021	09/30/2024			Require rating officials to evaluate the performance of managers and supervisors based on their ability to support the EEO program in identifying and removing barriers to equal opportunity.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	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	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

Commodity Futures Trading Commission

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Plan to Attain Essential Elements

PART H.33

Brief Description of Program Deficiency:

D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]

The agency does not have a process for analyzing identified triggers to find possible barriers.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the CFTC has a process for analyzing the identified triggers to find possible barriers.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion, and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.34

Brief Description of Program Deficiency: D.3. a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]

The CFTC does not effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the CFTC effectively tailors action plans to address the identified barriers, in particular policies, procedures, or practices.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion, and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment

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Plan to Attain Essential Elements

PART H.35

Brief Description of Program Deficiency: D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]

The agency does not effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the agency effectively tailors action plans to address the identified barriers, in particular policies, procedures, or practices.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2025	The CFTC's Chief Diversity, Equity, Inclusion and EEO Officer will develop a plan to identify stakeholders, strategies, and key metrics to address and advance this measure.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Commodity Futures Trading Commission

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Plan to Attain Essential Elements

PART H.36

Brief Description of Program Deficiency:	D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I]] If “yes”, please identify the data sources in the comments column.
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The CFTC does not regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the CFTC regularly reviews the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion, and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Commodity Futures Trading Commission

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Plan to Attain Essential Elements

PART H.37

Brief Description of Program  
Deficiency:

D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]

The agency does not periodically review the effectiveness of its EEO action plans.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	12/31/2025			Ensure that the agency periodically reviews the effectiveness of its EEO Action plans.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	The CFTC's Chief Diversity, Equity, Inclusion and EEO Officer will develop a plan to identify stakeholders, strategies, and key metrics to address and advance this measure.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Commodity Futures Trading Commission

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Plan to Attain Essential Elements

PART H.38

Brief Description of Program Deficiency: D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]

Ensure that the CFTC regularly examines the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the CFTC regularly examines the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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Plan to Attain Essential Elements

PART H.39

Brief Description of Program Deficiency: D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]

The CFTC does not consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as reorganizations and realignments.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/08/2023	09/30/2025			Ensure that the CFTC considers whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as reorganizations and realignments.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
12/31/2023	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.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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Commodity Futures Trading Commission

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Plan to Attain Essential Elements

PART H.40

Brief Description of Program Deficiency: E.3.d. Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]

The CFTC does not ensure a management official with settlement authority is accessible during the dispute resolution process.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2023			Ensure that a management official with settlement authority is accessible during the dispute resolution process.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The Chief Diversity, Equity, Inclusion and EEO Officer will assess and start to implement next steps to ensure that a management official with settlement authority is accessible during the dispute resolution process.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC developed plans to hire a new Associate Director of Equal Employment Opportunity, who will lead the development of processes to address this deficiency after they onboard in 2023.

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Plan to Attain Essential Elements

PART H.41

Brief Description of Program Deficiency: E.3 b. Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]  
The CFTC does not require managers and supervisors to participate in ADR once it has been offered.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2023			Ensure that the CFTC requires managers and supervisors to participate in ADR once it has been offered.

Responsible Officials

Title	Name	Standards Address the Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The Chief Diversity, Equity, Inclusion and EEO Officer will coordinate with OGC and HR to implement policy requiring managers and supervisors to participate in ADR once it has been offered.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC developed plans to hire a new Associate Director of Equal Employment Opportunity, who will lead the development of processes to address this deficiency after they onboard in 2023.

Commodity Futures Trading Commission

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Plan to Attain Essential Elements

PART H.42

Brief Description of Program Deficiency: E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]

The CFTC does not have systems in place to accurately collect, monitor, and analyze external and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2024			Ensure that the CFTC has systems in place to accurately collect, monitor, and analyze external and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Data Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The Chief Data Officer, the Chief Diversity, Equity, Inclusion and EEO Officer, and the Chief Human Capital Officer will coordinate amongst themselves and other stakeholder offices to develop resources, systems, and processes to ensure that the CFTC can accurately collect, monitor, and analyze external and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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. OMWI and the Human Resources Branch discussed how to improve key facets of applicant flow data collection, including starting to capture interview data and Schedule A subpart (u) hires.

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For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.43

Brief Description of Program  
Deficiency:

E.3 f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]

The CFTC does not annually evaluate the effectiveness of its ADR program.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2023			Annually evaluate the effectiveness of the CFTC's ADR program.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	Chief Diversity, Equity, Inclusion and EEO Officer will work with appropriate offices to develop a process for annual evaluation of the effectiveness of its ADR program.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC developed plans to hire a new Associate Director of Equal Employment Opportunity, who will lead the development of processes to address this deficiency after they onboard in 2023.

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Plan to Attain Essential Elements

PART H.44

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]

The CFTC does not have a system in place to re-survey the workforce on a regular basis.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2024			Ensure the CFTC has a system in place to re-survey the workforce on a regular basis.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Human Capital Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The CFTC will assess and start to implement next steps to create a system to re-survey the workforce on a regular basis.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.45

Brief Description of Program Deficiency: E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]

The CFTC does not prohibit the responsible management official named in the dispute from having settlement authority.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2023			Ensure the responsible management official named in the dispute does not have settlement authority.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The Chief Diversity, Equity, Inclusion and EEO Officer will assess and start to implement the next steps that are needed to ensure the responsible management official named in the dispute does not have settlement authority.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC developed plans to hire a new Associate Director of Equal Employment Opportunity, who will lead the development of processes to address this deficiency after they onboard in 2023.

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For period covering October 1, 2021 to September 30, 2022

Plan to Attain Essential Elements

PART H.46

Brief Description of Program Deficiency:

E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]

The CFTC does not have systems in place to accurately collect, monitor, and analyze the race, national origin, sex, and disability status of agency employees.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2024			Ensure the CFTC has systems in place to accurately collect, monitor, and analyze the race, national origin, sex, and disability status of agency employees.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Human Capital Officer	Vacant	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Data Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The Chief Data Officer, the Chief Diversity, Equity, Inclusion and EEO Officer, and the Chief Human Capital Officer will coordinate amongst themselves and other stakeholder offices to develop resources, systems, and processes to ensure that the CFTC can accurately collect, monitor, and analyze the race, national origin, sex, and disability status of agency employees.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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.

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Plan to Attain Essential Elements

PART H.47

Brief Description of Program Deficiency:

E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]

The CFTC does not encourage all employees to use ADR, where ADR is appropriate.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2024			Ensure that the CFTC encourages all employees to use ADR, where ADR is appropriate.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The Chief Diversity, Equity, Inclusion and EEO Officer will assess and start to implement next steps to ensure that the CFTC encourages all employees to use ADR, where ADR is appropriate.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC developed plans to hire a new Associate Director of Equal Employment Opportunity, who will lead the development of processes to address this deficiency after they onboard in 2023.

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Plan to Attain Essential Elements

PART H.48

Brief Description of Program Deficiency:	E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]
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The CFTC has not yet established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2024			Establish an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	The Chief Diversity, Equity, Inclusion and EEO Officer will assess what resources and steps are needed to establish an ADR program and start to implement them.	Yes		

Accomplishments

Fiscal Year	Accomplishment
2022	The CFTC developed plans to hire a new Associate Director of Equal Employment Opportunity, who will lead the development of processes to address this deficiency after they onboard in 2023.

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Plan to Attain Essential Elements

PART H.49

Brief Description of Program Deficiency:

E.4.a.3. Recruitment activities? [see MD-715, II(E)]

The CFTC does not have systems in place to accurately collect, monitor, and analyze recruitment activities.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
08/22/2022	09/30/2024			Ensure that the CFTC has systems in place to accurately collect, monitor, and analyze recruitment activities.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Data Officer	Vacant	Yes
Executive Director	Jeffrey Sutton	Yes
Chief Human Capital Officer	Vacant	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The Chief Data Officer, the Chief Diversity, Equity, Inclusion and EEO Officer, and the Chief Human Capital Officer will coordinate amongst themselves and other stakeholder offices to develop resources, systems, and processes to ensure that the CFTC can accurately collect, monitor, and analyze the race, national origin, sex, and disability status of agency employees.	Yes		

Accomplishments

Fiscal Year	Accomplishment
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. OMWI and the Human Resources Branch also initiated steps to procure LinkedIn Recruiter and Handshake, which both have analytics that can assist with tracking and analyzing recruitment activities.

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Plan to Attain Essential Elements

PART H.50

Brief Description of Program Deficiency:	F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]
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The CFTC did not timely submit an annual No FEAR report during this reporting period.

Objectives for EEO Plan

Date Initiated	Target Date	Date Modified	Date Completed	Objective Description
04/21/2023	09/30/2024			Ensure the CFTC submits a timely annual NO FEAR report.

Responsible Officials

Title	Name	Standards Address the Plan?
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes

Planned Activities

Target Date	Planned Activity	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2024	The CFTC will hire an Associate Director of Equal Employment Opportunity in 2023 who will be lead the development of these processes to ensure timely submission of No Fear Annual report after they onboard in 2023.	Yes		

Accomplishments

Fiscal Year	Accomplishment

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.1

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)					
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A4					
<p><b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>Lower than expected representation of racial and ethnic minorities in senior-level (grade CT-16 and higher) permanent positions. In FY20, 22% of individuals in CT16+ permanent positions were found to be racial and ethnic minorities, and this rate remained the same in FY21. This rate is less than would be expected because 32% of the CFTC's permanent workforce were racial and ethnic minorities. Further, during FY21: 0% of senior-level permanent positions were Hispanic or Latino Males, though Hispanic Males were 2.21% of the permanent workforce; &lt; of senior-level permanent positions were Black Males though Black Males were 6.19% of the permanent workforce; &lt; of senior-level permanent positions were Black Females though Black Females were 11.19% of the permanent workforce; and &lt; of senior-level permanent positions were Asian Females though Asian Females were 5.15% of the permanent workforce.</p>					
<p><b>STATEMENT OF BARRIER GROUPS:</b></p>	<p><i>Barrier Group</i></p> <p>Hispanic or Latino Males Hispanic or Latino Females Black or African American Males Black or African American Females Asian Males Asian Females Native Hawaiian or Other Pacific Islander Males Native Hawaiian or Other Pacific Islander Females American Indian or Alaska Native Males American Indian or Alaska Native Females Two or More Races Males Two or more Races Females</p>					
<b>Barrier Analysis Process Completed?:</b>	Y					
<b>Barrier(s) Identified?:</b>	Y					
<p><b>STATEMENT OF IDENTIFIED BARRIER:</b></p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<table border="1"> <thead> <tr> <th data-bbox="381 1463 711 1514">Barrier Name</th> <th data-bbox="711 1463 1573 1514">Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td data-bbox="381 1514 711 1768">Lack of measures to mitigate potential bias in talent process standard operating procedures</td> <td data-bbox="711 1514 1573 1768">Standard Operating Procedures for talent processes do not actively mitigate barriers and bias. Hiring, performance management, and promotions are highly subjective with no measures to minimize biases. This reduces the ability for CFTC to actively promote DEI through talent processes.</td> </tr> </tbody> </table>	Barrier Name	Description of Policy, Procedure, or Practice	Lack of measures to mitigate potential bias in talent process standard operating procedures	Standard Operating Procedures for talent processes do not actively mitigate barriers and bias. Hiring, performance management, and promotions are highly subjective with no measures to minimize biases. This reduces the ability for CFTC to actively promote DEI through talent processes.	
Barrier Name	Description of Policy, Procedure, or Practice					
Lack of measures to mitigate potential bias in talent process standard operating procedures	Standard Operating Procedures for talent processes do not actively mitigate barriers and bias. Hiring, performance management, and promotions are highly subjective with no measures to minimize biases. This reduces the ability for CFTC to actively promote DEI through talent processes.					

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
10/01/2016	09/30/2024	Yes			Actively mitigate potential barriers and biases within talent processes.

Responsible Official(s)

Title	Name	Standards Address The Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	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		06/04/0021
09/30/2021	Make diversity and inclusion training mandatory for supervisors and employees; with additional targeted training required for supervisors	Yes		11/12/2021
09/30/2023	Create an agency-wide 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 senior level permanent positions.	Yes		
09/30/2024	Create a diversity recruitment plan.	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	Continue to analyze applicant flow data to better understand by grade, position, and division, where potential issues may be.	Yes		

Report of Accomplishments

Fiscal Year	Accomplishments
2021	During FY21, Deloitte completed the DEIA study that was announced and initiated in FY20 by former CFTC Chairman Tarbert. Chairman Behnam then released the Deloitte study and held an agency-wide townhall in June of 2021 focused on DEIA to review and discuss the results with the agency's workforce. Furthermore, the agency announced plans to hire its first Chief Diversity, Equity, Inclusion and EEO Officer and completed its first mandatory DEIA training for both employees and supervisors. Since the Chief Diversity, Equity, Inclusion and EEO Officer onboarded in FY22, she has been working closely with the Human Resources Branch to introduce and strengthen bias-mitigation measures within the agency's talent processes.

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

Report of Accomplishments

Fiscal Year	Accomplishments
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.

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.2

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)	
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A1	
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?	Hispanic or Latino employees were only 3.62% of the total FY21 workforce, well below the benchmark of 12.98% of the CLF. Nevertheless, despite lower than expected representation, the numbers are trending upwards with an increase in Hispanic or Latino employment in the total workforce from < of the total workforce in FY20 to 3.62% of the total workforce in FY21, an increase of < Hispanic or Latino employees overall.	
<b>STATEMENT OF BARRIER GROUPS:</b>	<i>Barrier Group</i> Hispanic or Latino Males Hispanic or Latino Females	
<b>Barrier Analysis Process Completed?:</b>	Y	
<b>Barrier(s) Identified?:</b>	Y	
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<b>Barrier Name</b> Lack of strategy, resources, transparency, and processes	<b>Description of Policy, Procedure, or Practice</b> Barriers identified that likely contributed to this trigger are: 1) lack of hiring due to the Coronavirus Pandemic; 2) the lack of funding and staff dedicated to diversity recruitment; and 3) the lack of an agency-wide diversity recruitment strategy. Additionally, there are no explicit DEI focused hiring and recruiting programs. 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 a diverse pool of candidates.

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
07/19/2019	09/30/2024	Yes			Remove barriers to the workplace for Hispanic male and female employees.

Responsible Official(s)

Title	Name	Standards Address The Plan?
Executive Director	Jeffrey Sutton	Yes
Chief Diversity, Equity, Inclusion and EEO Officer	Tanisha Cole Edmonds	Yes
Chief Human Capital Officer	Vacant	Yes

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

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		06/04/0021
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 Hispanic employees.	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		

Report of Accomplishments

Fiscal Year	Accomplishments
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.
2021	During FY21, Deloitte completed the DEIA study that was announced and initiated in FY20 by former CFTC Chairman Tarbert. Chairman Behnam then released the Deloitte study and held an agency-wide townhall in June of 2021 focused on DEIA to review and discuss the results with the agency's workforce. Furthermore, the agency announced plans to hire its first Chief Diversity, Equity, Inclusion and EEO Officer and completed its first mandatory DEIA training for both employees and supervisors. Since the Chief Diversity, Equity, Inclusion and EEO Officer onboarded in FY22, she has been working closely with the Human Resources Branch to strengthen the agency's diversity recruitment efforts.

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.3

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)				
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A3				
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?	Lower than expected representation of Black or African Americans, Hispanic or Latinos Males, and Asian Females at the Executive Level (defined as CT 16 and above and supervisory) in the permanent workforce. Some people of color tend to have lower-than-expected representation in Executive positions, while White employees tend to have higher-than-expected representation. Of 41 Executives in the permanent workforce only: 0% are Hispanic or Latino Male compared to 2.17% of the permanent workforce; < are Black or African American Male compared to 6.09% of the permanent workforce; < were Black or African American Female compared to 11.01% of the permanent workforce; < are Asian Female compared to 5.07% of the permanent workforce. In contrast, 78.05% of the Executives in the permanent workforce were White, though White employees were only 68.26% of the permanent workforce. There were no triggers for Asian Males or Hispanic Females amongst Executives.				
<b>STATEMENT OF BARRIER GROUPS:</b>	<i>Barrier Group</i> Hispanic or Latino Males Black or African American Males Black or African American Females Asian Females				
<b>Barrier Analysis Process Completed?:</b>	N				
<b>Barrier(s) Identified?:</b>	N				
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<table border="1"> <thead> <tr> <th>Barrier Name</th> <th>Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice				

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description

Responsible Official(s)

Title	Name	Standards Address The Plan?

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date

Report of Accomplishments

Fiscal Year	Accomplishments

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.4

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A1
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?	Underrepresentation of females, and racial and ethnic minorities within non-administrative, mission critical occupations. Analysis of FY21 data found that females and racial and ethnic minorities tended in some cases to be represented below benchmarks in non-administrative, mission critical occupations, and that White Males tended to have higher than expected representation in non-administrative, mission critical occupations. For example, out of 112 employees in the 1101 (Data Analysts) series, only: • 24.11% were Female compared to 54.50% of the occupational CLF; • < were Hispanic or Latina Female compared to 5.50% of the occupational CLF; • 15.18% were White Female compared to 36.2% of the occupational CLF; • < were Black or African American Female compared to 7.3% of the occupational CLF; and • 0% were Two or More Races Female compared to 1.3% of the occupational CLF. In contrast, 75.89% were Male compared to 45.5% of the occupational CLF, and 58.04% were White Males compared to 32.2% of the occupational CLF. No triggers were found within this series for Hispanic or Latino Males, Black Males, or Asian Males.

<b>STATEMENT OF BARRIER GROUPS:</b>	<i>Barrier Group</i> All Women Hispanic or Latino Males Hispanic or Latino Females White Females Black or African American Females Asian Males Two or More Races Males Two or more Races Females
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<b>Barrier Analysis Process Completed?:</b>	N
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<b>Barrier(s) Identified?:</b>	N
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<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<b>Barrier Name</b>	<b>Description of Policy, Procedure, or Practice</b>
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Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
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Responsible Official(s)

Title	Name	Standards Address The Plan?
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Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
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Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

Report of Accomplishments

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Accomplishments

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.5

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A3
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?	Lower than expected representation of Females overall, Hispanic or Latina Females, Black or African American Females, White Females, and Asians in management positions (defined as CT15 and supervisory). Females and people of color tend to have lower-than-expected representation in management positions, while White Males tend to have higher-than-expected representation. Of the 90 managers in the permanent workforce only: 28.89% were Female compared to 41.83% of the permanent workforce; 0% were Hispanic or Latina Female compared to 1.47% of the permanent workforce; 21.11% were White Female compared to 23.56% of the permanent workforce; < were Black or African American Female compared to 11.19% of the permanent workforce; < were Asian Male compared to 5.3% of the permanent workforce; < were Asian Female compared to < of the permanent workforce. In contrast, 57.78% of managers were White Males, though White Males were only 44.33% of the permanent workforce.

<b>STATEMENT OF BARRIER GROUPS:</b>	<i>Barrier Group</i> All Women Hispanic or Latino Females White Females Black or African American Females Asian Males Asian Females
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<b>Barrier Analysis Process Completed?:</b>	N
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<b>Barrier(s) Identified?:</b>	N
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<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<b>Barrier Name</b>	<b>Description of Policy, Procedure, or Practice</b>

Objective(s) and Dates for EEO Plan					
Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description

Responsible Official(s)		
Title	Name	Standards Address The Plan?

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date

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Plan to Eliminate Identified Barriers

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.6

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A2
<p><b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>Representation within the permanent workforce in the CFTC's largest, non-administrative divisions. The CFTC's largest, non-administrative Divisions (Division of Enforcement, Division of Clearing and Risk, Division of Market Oversight, and Market Participants Division) tend to have higher than expected representation of White and Male employees, and less than expected representation of females and some people of color in their permanent workforce. For example, of the 172 permanent employees in the Division of Enforcement: 40% are Female, compared to 48.21% of the CLF; &lt; are Hispanic or Latino Male compared to 6.82% of the CLF; &lt; are Hispanic or Latina Female, compared to 6.16% of the CLF; &lt; are Black or African American Male compared to 5.7% of the CLF; &lt; are Black or African American Female compared to 6.61% of the CLF; 0% are Two or More Races Male compared to 1.05% of the CLF; and 0% are Two or More Races Female compared to 1.05% of the CLF. In contrast: 59.88% of employees were Male, though Males are only 51.79% of the CLF; and 80% of employees were White, though Whites are only 67.47% of the CLF.</p>

<b>STATEMENT OF BARRIER GROUPS:</b>	<p><i>Barrier Group</i></p> <p>All Women</p> <p>Hispanic or Latino Males</p> <p>Hispanic or Latino Females</p> <p>White Females</p> <p>Black or African American Males</p> <p>Black or African American Females</p> <p>Two or More Races Males</p> <p>Two or more Races Females</p>
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<b>Barrier Analysis Process Completed?:</b>	N
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<b>Barrier(s) Identified?:</b>	N
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<b>STATEMENT OF IDENTIFIED BARRIER:</b>	<table border="1"> <thead> <tr> <th>Barrier Name</th> <th>Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Barrier Name	Description of Policy, Procedure, or Practice		
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.					

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description

Responsible Official(s)

Title	Name	Standards Address The Plan?

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date

Commodity Futures Trading Commission

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Plan to Eliminate Identified Barriers

Report of Accomplishments

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Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.7

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)				
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A1				
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?	Applicant Flow Data. Less-than-expected representation for Females and some categories of people of color in the application processes for the CFTC's mission critical occupations, overall new hires, and internal competitive promotions for mission critical occupations in the CFTC's permanent workforce. For example: Amongst new hires for mission critical occupations in the permanent workforce, out of 24 selections, 0% were Black or African American Male, though Black or African American Males were 12.42% of the total qualified external applicants (Positively, < of the selections were Black or African American Female, compared to 9.18% of the qualified external applicants and compared to 0% of the selections for FY20 and FY19, reversing past trends); Amongst internal competitive promotions for mission critical occupations in the permanent workforce, of the 18 selections, < were Female, though females were 38.86% of the qualified internal applicants; < were Black or African American Male though Black or African American males were 18.96% of the qualified applicants; Amongst the total new hires in the permanent and temporary workforce, out of the 44 new hires, < were Hispanic or Latina Female compared to 6.16% of the CLF.				
<b>STATEMENT OF BARRIER GROUPS:</b>	<i>Barrier Group</i> All Women Hispanic or Latino Males Hispanic or Latino Females White Females Black or African American Males Black or African American Females Asian Females Two or More Races Males Two or more Races Females				
<b>Barrier Analysis Process Completed?:</b>	N				
<b>Barrier(s) Identified?:</b>	N				
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<table border="1"> <thead> <tr> <th>Barrier Name</th> <th>Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice				

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
<b>Responsible Official(s)</b>					
Title		Name		Standards Address The Plan?	

Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
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Report of Accomplishments

Fiscal Year	Accomplishments
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Commodity Futures Trading Commission

For period covering October 1, 2021 to September 30, 2022

Plan to Eliminate Identified Barriers

PART I.8

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)				
<b>Specific Workforce Data Table:</b>	Workforce Data Table - A5				
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as a potential barrier?	Lower than expected representation of Black or African American employees overall in pay of \$180,001 or greater in the Permanent Workforce. Black or African American employees have less-than-expected representation amongst the permanent workforce earning \$180,001 or greater, while White employees have higher-than expected representation at that pay level. Though 17.1% of the permanent workforce was Black or African American, only 12.26% of individuals earning \$180,001 or greater were Black or African American. In contrast, though White employees were only 68.26% of the permanent workforce, they were 73.15% of the permanent employees earning \$180,001 or greater.				
<b>STATEMENT OF BARRIER GROUPS:</b>	<i>Barrier Group</i> Black or African American Males Black or African American Females				
<b>Barrier Analysis Process Completed?:</b>	N				
<b>Barrier(s) Identified?:</b>	N				
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<table border="1"> <thead> <tr> <th>Barrier Name</th> <th>Description of Policy, Procedure, or Practice</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Barrier Name	Description of Policy, Procedure, or Practice		
Barrier Name	Description of Policy, Procedure, or Practice				

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description	
<b>Responsible Official(s)</b>						
Title		Name		Standards Address The Plan?		
<b>Planned Activities Toward Completion of Objective</b>						
Target Date	Planned Activities			Sufficient Staffing & Funding?	Modified Date	Completion Date

Report of Accomplishments

Fiscal Year	Accomplishments

**MD-715 – Part J**  
**Special Program Plan**  
**for the Recruitment, Hiring, Advancement, and**  
**Retention of Persons with Disabilities**

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

**Section I: Efforts to Reach Regulatory Goals**

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

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

- |                               |        |     |
|-------------------------------|--------|-----|
| a.Cluster GS-1 to GS-10 (PWD) | Answer | 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 PWTD	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 PWTD	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: 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%. < 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 < 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 IV: Plan to Ensure Advancement Opportunities for Employees with Disabilities**

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

**A. ADVANCEMENT PROGRAM PLAN**

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

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 < of the workforce, they received < of time off awards and < 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 < 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 PWTD among the new hires to the senior grade levels? For non-GS pay plans, please use the approximate senior grade levels. If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

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

- a. Executives
  - i. Qualified Internal Applicants (PWTD) Answer No
  - ii. Internal Selections (PWTD) Answer No

b. Managers

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

ii. Internal Selections (PWTD) Answer N/A

c. Supervisors

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

ii. Internal Selections (PWTD) Answer Yes

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

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 PWTD among the selectees for new hires to supervisory positions? If "yes", describe the trigger(s) in the text box. Select "n/a" if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. New Hires for Executives (PWTD) Answer No

b. New Hires for Managers (PWTD) Answer No

c. New Hires for Supervisors (PWTD) Answer No

Section V: Plan to Improve Retention of Persons with Disabilities

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

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer N/A

No employees have been eligible for conversion during this reporting period. Any employees that are eligible are converted as appropriate.

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 with 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 VI: EEO Complaint and Findings Data

## A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer No

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

Answer No

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

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 VII: Identification and Removal of Barriers

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

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

Answer 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

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)				
<b>Specific Workforce Data Table:</b>	Workforce Data Table - B4				
<b>STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:</b>  Provide a brief narrative describing the condition at issue.  How was the condition recognized as 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.				
<b>STATEMENT OF BARRIER GROUPS:</b>	<i>Barrier Group</i>				
	People with Disabilities				
	People with Targeted Disabilities				
<b>Barrier Analysis Process Completed?:</b>	Y				
<b>Barrier(s) Identified?:</b>	Y				
<b>STATEMENT OF IDENTIFIED BARRIER:</b>  Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	<b>Barrier Name</b>	<b>Description of Policy, Procedure, or Practice</b>			
	PWD and PWTD are underrepresented in applicant pipeline; attitudinal barriers.	<p>"No Commission wide D&amp;I strategy: No specific D&amp;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&amp;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>			
<b>Objective(s) and Dates for EEO Plan</b>					
<b>Date Initiated</b>	<b>Target Date</b>	<b>Sufficient Funding / Staffing?</b>	<b>Date Modified</b>	<b>Date Completed</b>	<b>Objective Description</b>
08/07/2019	09/30/2023	Yes			Increase the number of PWD and PWTD employed by the CFTC.
<b>Responsible Official(s)</b>					
<b>Title</b>		<b>Name</b>		<b>Standards Address The Plan?</b>	
IT Specialist		Kennet Ake		Yes	
Chief Information Officer		Janaka Perera		Yes	
Manager - Facilities Operations and Services		Edward Busse		Yes	
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	Accomplishments
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.