

DOD DNGB South Dakota National Guard

For period covering October 1, 2018 to September 30, 2019

| | | | | |
|---|--|---|----------------|--|
| PART A Department or Agency Identifying Information | 1. Agency | 1. DOD DNGB South Dakota National Guard | | |
| | 1.a 2nd level reporting component | | | |
| | 2. Address | 2. 2823 West Main Street | | |
| | 3. City, State, Zip Code | 3. Rapid City, SD 57702 | | |
| | 4. Agency Code 5. FIPS code(s) | 4. NGSD | 5. NGSD | |

| | | |
|-----------------------------------|---|---------------|
| PART B Total Employment | 1. Enter total number of permanent full-time and part-time employees | 1. 452 |
| | 2. Enter total number of temporary employees | 2. 34 |
| | 3. TOTAL EMPLOYMENT [add lines B 1 through 2] | 4. 486 |

| PART C Agency Official(s) Responsible For Oversight of EEO Program(s) | Title Type | Name | Title |
|---|--|------------------------|--|
| | | Head of Agency | Major General Jeffrey P. Marlette |
| | Head of Agency Designee | Colonel Todd Bartunek | Human Resource Officer |
| | Principal EEO Director/Official | Mrs. Carstin K. Jerzak | South Dakota National Guard Equal Employment Manager |
| | Complaint Processing Program Manager | Mrs. Carstin K. Jerzak | South Dakota National Guard Equal Employment Manager |
| | Diversity & Inclusion Officer | Mrs. Carstin K. Jerzak | South Dakota National Guard Equal Employment Manager |
| | Women's Program Manager (SEPM) | CSM Lorissa Wetzler | Collateral Assignment as SEPM) Command Sergeant Major |
| | Disability Program Manager (SEPM) | Mrs. Carstin K. Jerzak | South Dakota National Guard Equal Employment Manager |
| | Reasonable Accommodation Program Manager | Mrs. Carstin K. Jerzak | South Dakota National Guard Equal Employment Manager |
| | Anti-Harassment Program Manager | Colonel Todd Bartunek | Human Resource Officer |
| | ADR Program Manager | Ms. Karen White | NGB ADR Specialist/Mediator |
| | Principal MD-715 Preparer | Mrs. Carstin K. Jerzak | South Dakota National Guard Equal Employment Manager |
| | Other EEO Staff | CW3 Sandi Pasqualucci | Collateral Mediator |
| | Other EEO Staff | LTC Martin Yost | Chief, Facility Management Office |
| | Other EEO Staff | MSgt Matt Sly | Collateral EEO Counselor |
| | Other EEO Staff | LTC Matt Symonds | Collateral Mediator |
| | Other EEO Staff | Mr. Sean Fletcher | Collateral EEO Counselor |
| | Other EEO Staff | SSgt Philip Lonjers | Collateral EEO Counselor |
| | Other EEO Staff | CSM Micheal Shay | Native American Engagement (SEPM) Innovative Readiness Coordinator |
| | Other EEO Staff | LTC Anthony Deiss | Public Affairs Officer |
| | Other EEO Staff | Mrs. Nicole Franklin | Collateral EEO Counselor |
| | Other EEO Staff | Mr. Daniel Harrington | Collateral EEO Counselor |

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| 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 | |
| Personal Assistance Services Procedures | Y | Y | |
| Reasonable Accommodation Procedure | Y | Y | |
| Anti-Harassment Policy and Procedures | Y | Y | |
| EEO Policy Statement | Y | Y | |
| Organization Chart | Y | Y | |
| Agency Strategic Plan | Y | Y | |
| Alternative Dispute Resolution Procedures | Y | Y | |
| Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey | N | N | |
| Disabled Veterans Affirmative Action Program (DVAAP) Report | N | N | |
| Diversity Policy Statement | N | Y | |
| EEO Strategic Plan | N | N | |
| Federal Equal Opportunity Recruitment Program (FEORP) Report | N | N | |
| Human Capital Strategic Plan | N | N | |

EXECUTIVE SUMMARY: MISSION

Description of Agency's Mission, Vision and Mission-Related Functions:

Mission:*The South Dakota National Guard (SDNG) is a state organization, under the command of the Governor of South Dakota. At the same time, the women and men of the South Dakota Air and Army National Guard are reserve members of the U.S. Air Force and U.S. Army. The members of the SDNG may be called into active federal service by the President of the United States. The overall mission of the SDNG is to provide ready forces to support global and domestic requirements under the direction of civil authority.*

Vision:*The most professional, competent and reliable National Guard organization in the United States of America. Our values of loyalty, duty, respect, selfless service, honor, integrity, personal courage and excellence in all we do are reflective of our affiliation with the U.S. Army and Air Force and the state we live and work.*

Core Competencies:*The South Dakota National Guard adapted four core competencies we view as critical in our ability to meet our mission requirements to federal, state or local agencies seeking our services. The competencies are adaptability, personnel readiness, training readiness and logistics readiness. Our forces must be adaptable or able to adjust and operate in varying environments. Our personnel must be ready and physically, medically, administratively fit to meet the needs of our customers. Our force must be technically and tactically proficient to execute the mission. And lastly, our equipment must be available and maintained to sustain operations when the mission arises.*

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

Status of Policies: The Prevention of Sexual Harassment policy, the Equal Opportunity Military policy and Complaint Resolution Request procedures and the Equal Employment Opportunity policy and Joint Complaints Processing guide were all updated on 8 June 2019 during the transition to a new Adjutant General/Agency Head. The Anti-Harassment policy and operating procedures/guide are drafted and being staffed as a separate publication based on the new DoDI 1020.03 and EEOC guidance; and pending a proposed draft regulation from National Guard Bureau. The Reasonable Accommodation Request policy and procedures were updated and also published 8 June 2019.

Each employee is provided instructions on how to access the internal SharePoint for all agency policy memorandums during new employee orientation. The policies are posted on the agency internal and external websites and also on bulletin boards in all facilities. These policies are inspectable IAW the Command Inspection Program (CIP). Likewise, supervisors are required to have a performance measure in their Annual Performance Plan demonstrating their commitment to equality and anti-harassment policies, principles, and programs. As such, supervisors are evaluated on this performance measure during their annual performance appraisal. New and/or updated policies and procedures are distributed agency wide by the Human Resource Office upon publication and posted accordingly on the internal and external (public) websites to ensure all employees have 24/7 access.

My number one priority is "Taking excellent care of Soldiers, Airmen and their Families." This, along with the other top priorities, is published in a handout provided to all personnel and available on our internal and external websites. In addition to my priorities, diversity and inclusion are a specific line of effort on the SDNG strategic plan with measurable objectives being tracked and briefed routinely.

The office of Equality, Diversity and Inclusion (EDI) publishes quarterly minutes and program material which includes information on diversity, equality and inclusion program updates, training and other initiatives. Special Emphasis/Observance information is provided to all employees via email distribution and posting in all facilities as well as posted to the internal website for all EO practitioners, commanders, employees and units to access. The Equal Employment Manager, distributes the DEOMI approved and published observance posters and informational Power Point files to all employee's and EO practitioners so they can further post/publish in their respective facilities and websites. When supervisor training (initial or refresher) is provided, supervisors are presented training on EEO/EO programs and complaint processes, Merit Promotion Program updates, Employee Development/Training updates, Alternative Dispute Resolution (ADR) and Federal Employee Assistance Program (FEAP) updates. In addition to these training opportunities we conduct annual No FEAR training either in a classroom setting or via online training for all civilian employee's, their supervisors and new employee's. Our military personnel are required to take the training biennially and this training is tracked in the EDI office. We currently post quarterly No FEAR information on our external or public website and ensure the data is reported to the EEOC through the annual 462 report. Additionally, we conduct the required Defense Equal Opportunity Climate Survey's (DEOCS) in all of our units, which covers the majority of our full-time employees. We utilize exit surveys for all full-time employees retiring or leaving our organization and the Human Resource Office routinely conducts employee engagement surveys as needed.

The SDNG was the first National Guard organization in the nation to utilize a Labor Management Partnership Council (LMPC). This council brings labor and management together to identify any practices or policies creating barriers for our employees or applicants. Technician Personnel Regulation (TPR) 752, Discipline and Adverse Action, provides guidance concerning disciplinary penalties for employees who have been found in violation of policies. Any disciplinary action proposed and/or taken is staffed with the appropriate functional specialist/office/agency (i.e. Labor Relations Specialist, Staff Judge Advocate, Inspector General, Bargaining Unit) prior to implementation. Employees are encouraged to use the Alternative Dispute Resolution (ADR) process for conflict and/or complaint resolution. Supervisors and managers will participate in requested ADR. National Guard Bureau

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EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

provides ADR assistance upon request, however we several trained collateral mediators in our work force. Complaints received by this agency are tracked on a locally produced spreadsheet by the EEM. This agency uses collateral EEO counselors for pre-complaint processing and counseling complaints. The Adjutant General, as the Agency Head, has final settlement authority. The state Staff Judge Advocate (SJA) handles all EEO legal reviews and is also the agency representative in complaints. However, alternate Judge Advocate General (lawyers) officers from the Air Guard, NGB or neighboring Federal or Active Duty agencies are available. This agency has not, during this reporting period, processed any formal EEO complaints, been issued an Equal Employment Opportunity Commission (EEOC) order or administrative decision, nor had to issue any orders. If an order is issued, the agency will take all necessary steps to comply. Final agency decision (FAD) authority is held by the head of the agency or the Adjutant General for the SDNG. We no longer fall under NGB authority or coordination for EEO procedures or complaints.

2019 – New Leadership: Fiscal year 2019 proved to be a year of transition for the South Dakota National Guard with the retirement of Major General Timothy Reisch and the installment of the new 22nd South Dakota National Guard Adjutant General, Major General Jeffrey Marlette. MG Marlette’s official transition date was 8 June 2019 and his initial strategy is to listen and learn more about the agency prior to implementing major changes.

In 2018 this agency, based on the 2016 the National Defense Authorization Act mandating National Guard states convert 20% of their full time workforce to Title 5 civilian employees, operated with more civilian employee’s than ever before in our history. The NDAA 20% mandate was later amended to 16% of the workforce. Our Title 5 workforce consisted of 82 Title 5 civilian, excepted or competitive, employees at the end of FY19. This is a historical number of civilian employee’s in our agency and an increase of 7 new employees over FY18. The number of overall applications for civilian employment vacancies increased dramatically in USAjobs and demonstrates strong competition for these positions and a desire to work at this agency. You will see in the Barrier Analysis section of this summary, our analysis of the status of Persons with a Disability (PWD) and Person with a Targeted Disability (PWTD) competing, participating and working within our agency.

The EEM continues to refine the EEO formal complaint processing to include acceptance, dismissal actions, final agency decisions, and all subsequent federal appeal processes. The EEM, continually refines the Reasonable Accommodation and Personal Assistant Services request and operating policy and procedures and continues to work on establishing/maintaining firewalls between the Disability Program/Reasonable Accommodation Request processes, legal reviews of complaints, and establish training programs to ensure supervisors and employee’s understand and can identify when a reasonable accommodation is being requested.

In June of 2018, National Guard Bureau mandated states fully utilize USAStaffing for all external and internal vacancy announcements. This means FY19 was the first year we could fully analyze applicant flow data for new hires and internal competition vacancy announcements. This has helped us to validate the accuracy of applicant flow data for barrier analysis. We conducted a very simplified barrier analysis of the FY19.

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

Barrier Analysis: The total labor force for the SD National Guard increased from 407 in FY18 to 486 in FY19. This is a gain of 79 additional employees or 19.41%. Our agency showed under-representation in all demographics regarding females to include all minorities and under-representation in all categories regarding minority males as well. The SD National Guard recruits the majority of full-time employees from the military labor force - enlisted or commissioned officers in the Army and Air National Guard based on the dual-status technician/Title 32 Excepted Service program requirements. This program requires the technician Title 32/excepted service employee to be a member of the Air or Army National Guard as a condition of employment. Our full-time workforce is mostly reflective of the military labor force and our recruitment efforts are inclusive in marketing and branding to most minority areas in order to increase our demographics or the available pool in all areas. The Native American population, which is the largest minority race in our state based on the alternate benchmark for SD at 8.9% of the state's population, shows a 1.03% for males and 0.21% for females participation rate in our workforce as compared to 3.6% of the military labor force, which is a slight decrease from last year, however our labor force increased, and the net difference is one male employee. The states female population stands at 49.8% and there is a 15.23% participation rate in our workforce as compared to the 18.6% average participation rate of women in the military labor force. We realized a decrease of 2.71% based on an increase in workforce overall, however we actually realized a net gain of 1 female employee based on the actual numbers. Overall the gender gap has increased from last year by 2.71%. The category of two or more Races represents 2.1% of the state's population and there is 1.65% participation rate for male and .41% rate for females. These percentages have decreased since last year and we realized a net loss of 2 female employees impacting this area. In comparison to the minority race average percentage of 1.3%, participation in the military labor force across all races, but excluding Native Americans already discussed, there is potential to experience increases with focused full time recruiting. These areas continue to be a challenge for our organization while we continue to market towards the military labor force and offer more to the civilian labor force with the Title 5 positions.

We have 404 full-time dual-status military employees who must meet the military fitness and medical requirements for military membership in the South Dakota Army or Air National Guard. We employed 82 non-dual status civilian (Title 5 excepted or competitive) service employees. We have 21 employees from our total permanent work force whom voluntarily identified having a disability and 2 employees whom identify with a targeted disability in our workforce. In the fall of FY19 we initiated a resurvey our employees for voluntary identification of disabilities and will conduct the resurvey every two years. In the consideration of PWD or PWTD percentages, and excluding the Title 32 positions requiring military fitness and medical requirements, the following analysis is provided using the Title 5 permanent workforce numbers and PWD or PWTD voluntary identification information.

The total number of Title 5 employees for FY19 is 82 and 79 are permanent and 3 are temporary. The total number of PWD employees in this category is 13 or 15.85%. The total number PWTD employees in this same category is 1 or 1.22%. If we break this down to consider the 79 permanent workforce employees then we are looking at 13 PWD employees or 16.46% and 1 PWTD or 1.27%. There are no PWD or PWTD employees in the temporary category. These percentages indicate we are relatively unchanged from FY18 to 19 in the PWD or PWTD categories and are well above the 12% for PWD and really close to the 2% PWTD. There for we feel our agency is inclusive of PWD and PWTD to include highly promoting the use of Veterans preference which include disabled Veterans as well.

The SDNG incentive awards pamphlet is reviewed annually and HR provides additional guidance and budgetary information annually and/or as needed when funding is available. Last year both the Army and Air Guard authorized time off, cash and quality step increase awards. The agency also supported cash awards for the technician (employee) of the year award and sponsored passes (time off) awards for our active/reserve military employee of the year. FY19 proved again to be one of the higher awarded years for employees in both time off and cash incentives. There were 5 time off awards for 9 or less hours with 100% of those awards going to men. In the participation rate for the category of time off of more than 9 hours, men were award 87% of the awards, women received 13% of the

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EXECUTIVE SUMMARY: WORKFORCE ANALYSES

awards. The inclusion rate shows men were awarded time off at a 7% higher inclusion rate. So the rate of award is not equal.

In the participation rate for the category of cash awards of less than \$500, there were 47 total awards with men getting 44 or 94% and women getting 3 or 6% of the awards. The inclusion rate shows 11% of the men received awards and 4% of the women in the organization received the cash awards with the difference being men are awarded cash at a 7% higher rate and the award isn't distributed equally among genders. The category of cash awards for \$500 or higher shows higher numbers then the previous category but a similar outcome. There were 54 awards, with 53 or 98% going to men and 1 or 2% going to women. The inclusion rate is more dramatic with 13% of the men included in this award and only 1% of women. This award is not equally distributed among the genders.

Lastly, in the category of Quality Step Increases, there were 20 total awards with 11 or 55% going to men and 9 or 45% going to women. The inclusion rate shows 3% of men were included verses women at 12%. This is the only category where women out pace men, however the average cash award shows men getting \$2326.45 verses women getting \$1948.00 per awards. So even though the participation rate is close between the two genders and inclusion rate exceeds men, women are still awarded \$378.45 less than men. The dollar for dollar cash award, between all three categories involving cash awards equals \$140,952.00. Cash awards made to men equaled \$121,372.00 or 86% of the cash. Cash awards made to women equaled \$19580.00 or 14% of the cash. With only the inclusion exception in the within grade categories, overall men are awarded with cash and time off at a higher rate than women and the awards are not distributed equally in participation or inclusion among the two genders. These are repetitive triggers since FY17 and the analysis indicated there is very little participation and inclusion of women in the upper levels of management in the organization, to include the military upper ranks of 05/Lieutenant Colonel and 06/Colonel which is equivalent to the GS ranks of 13 and 14. In fact there is only one women that made 06/Colonel at the end of FY19 and is serving in a GS14 position and there are no women in a GS13 grade or equivalent position eligible to complete at the GS14 or higher level during this reporting period. The cash awards for women serving in lower level ranks contributes to lower award levels as well.

Awards for PWD/PWTD indicate good rates of participation and inclusion when considering 79 permanent employees overall and 10 received time off awards and 2 received cash awards. This indicates an inclusion rate of 12% for time off, but only 3% for cash and zero awards for quality step increases. These percentages will be analyzed over the next one to two years to determine if we have a trigger considering we underwent conversion just in FY18 with very little turn over since. The concentration of Title 5 employees in our HRO, Finance and Information Technology sections may be the factor for lower awards considering there are larger numbers of employees in these sections, however this is not officially substantiated and needs further analysis. The establishment of an affinity group, such as a Special Emphasis Group focused on Persons with a Disability/Targeted Disability and hiring Disabled Veterans is being considered in the EDI office. This may go along with continued attempts to encourage management to utilize hiring authorities like Schedule A preference, Veterans preference and student interns through the Work Force Recruitment Program.

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EXECUTIVE SUMMARY: ACCOMPLISHMENTS

Other agency initiatives and information: The South Dakota National Guard honored all required DoD special observances & celebrations in FY19 with a focus on the Military Women's Program (similar to the Federal Women's Program), and Native American cross-culture engagement. These are the major affinity groups working on increasing diversity and inclusion through our SDNG Army and Air Diversity councils. The South Dakota National Guard is a member and active participant in the Combined Federal Campaign, supports an annual food and clothing drive, Scouts of America, and conducts numerous wood haul missions to the Native American reservations during annual training in June to provide fuel to families during the winter months. This past year the South Dakota National Guard continued to meet with tribal leaders and county veteran service officers to enhance relationships throughout South Dakota in the areas of cultural exchange, recruiting/retention, social/economic development and training. Across several communities in South Dakota, our employees are engaged with their local chambers of commerce, diversity committees, community missions, veterans groups, sports, and other school activities. Our statewide food and coat donation campaign, sponsored by the state Chaplain Corps, supports twenty-two communities, as well as the nine Native American reservations. This puts the donations right back into the local community with an immediate impact to the people, especially during the winter months.

The South Dakota National Guard maintains a state partnership program with the country of Suriname since June of 2006. Through our partnership we exchange programs, best practices, and culture towards building an enduring relationship, force readiness, crisis management, and military professional development. We conducted military related engagements with our partnership country 10 to 14 times a year and maintain a full time liaison working in the country of Suriname to facilitate the partnership, the engagements and continuity of the official relationship. The focus of the exchange engagements range from leadership, to military discipline and traditions, the integration of women in the military to cultural and diversity education.

In 2017 we created an innovation and advisory committee called TAGVISE. This committee act as an advisory committee to the Adjutant General and the Coordinating Staff regarding opportunities for improvement and innovation focused on improving the efficiency and effectiveness of the South Dakota National Guard. The committee's vision is to drive change through innovation, continuous process improvement and strategic planning integrated across the force. Committee members apply for membership on the committee and service a two year term upon appointment.

South Dakota continues to focus on recruiting quality service members, retaining our current force, increasing our diversity in under-represented groups such as women, Native Americans and Hispanic population groups and managing the overall attrition within its ranks. In South Dakota the mission and success of our Recruiting and Retention teams (Air and Army) greatly impacts our military labor force; again, upon which we draw the majority of our full time workforce. The Adjutant General continues to engage with the superintendent of the Sioux Falls School District to open communication and avenues into the schools for recruiting personnel to engage. The schools within the Sioux Falls district are some of the most diverse in the state of South Dakota and is one the Generals personal priorities to facilitate and broaden the diversity of our military labor force. We offer and encourage all personnel to attend the "4 Lenses" training or other opportunity type training such as Unconscious Bias, Generational Diversity or Leadership Evolution and Challenge Programs. These courses are available throughout the year for all personnel and includes the annual No FEAR Act training requirements.

The agency maintains safe and accessible facilities across the state. We utilize a cell phone text or agency wide alert system for weather and other emergency related information. Federal Law requires agencies to provide annual Information Security Awareness Training to employees and contractors who have access to government computer systems. This is provided during new employee orientation and there is an annual refresher training requirement. The agency provides reasonable accommodations per the accommodation policy. This included utilization of the Computer/Electronic Accommodation Program (CAP) as much as possible in order to be responsive to requests and

EXECUTIVE SUMMARY: ACCOMPLISHMENTS

defer costs even in light of CAP removing the sit-to-stand stations as part of their program. No complaints were filed against the agency regarding reasonable accommodation in FY19.

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EXECUTIVE SUMMARY: PLANNED ACTIVITIES

The Adjutant General's vision is to have "The most professional, competent, and reliable state National Guard organization in the United States of America." We will continue to enhance our organization by continuing to value our personnel and diversifying our military and full time work force through retention and recruiting efforts to reflect our state's population. Each team member of our full-time force has been tasked to strive for a balanced and diverse work force mirroring the demographics of the great State of South Dakota. The South Dakota National Guard is an equal opportunity employer and we support and challenge all of our employees to rise to their fullest potential. This is not just based on regulatory requirements, but imbedded and aligned within our organizational values as well as my priorities and vision.

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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 | | | This policy is uploaded in the supporting documents section. 6/8/2019 |
| | 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 | | | This policy is uploaded in the supporting documents section. Additional bases covered: marital status. Title VII Prohibited Personnel Practices cover political affiliation and veterans preference laws. |

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Agency Self-Assessment Checklist

|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|--|----------------------|----|-----|--|
| | | Yes | No | N/A | |
|  Measures | A.2. The agency has communicated EEO policies and procedures to all employees. | | | | |
| A.2.a. Does the agency disseminate the following policies and procedures to all employees: | | | | | |
| A.2.a.1. Anti-harassment policy? [see MD 715, 11(A)] | | | X | | During FY19 we had a draft policy and procedure in staffing. The official publication of the policy was on 01DEC2019. A copy of the policy is uploaded in the substantiated documents section. |
| A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)] | | X | | | The policy/procedures are provided to new employees during orientation, annual supervisors course, refresher courses, hiring workshops we conduct and it was published and distributed through the agency wide employee email distribution process. It is also available by hardcopy upon request and on our internal and external websites. Policy & request procedures were updated/published on 1APR2020. |
| A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website: | | | | | |

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Agency Self-Assessment Checklist

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| <p>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)]</p> | <p>X</p> | | <p>The EEO Counselors and EEO Director are listed in the EEO policy which is published on the internal and external websites, posted on employee bulletin boards and available by hardcopy upon request. Diversity/Special Emphasis contacts are appointed on memorandum by the agency head and published within the minutes - which are posted on the external website and is available in hardcopy upon request.</p> |
| <p>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)]</p> | <p>X</p> | | <p>The SDNG Joint Complaints Guide is published and distributed through an employee wide distribution network, posted on the our internal and external websites and is available in hardcopy on facility bulletin boards and upon request. We also provide extra program materials at events and during training such as new employee orientations.</p> |
| <p>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.</p> | <p>X</p> | | <p>https://sd.ng.mil/NoFEAR/Pages/default.aspx</p> |
| <p>A.2.c. Does the agency inform its employees about the following topics:</p> | | | |

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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

New employee orientation, annual supervisors & refresher courses, hiring workshops we conduct and it is published and distributed through the agency wide employee email distribution process. The guide is also posted on the internal and external websites, facility bulletin boards and available hard copy upon request. The annual/biennial No FEAR training also covers this topic.

A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If “yes”, please provide how often.

X

ADR is incorporated within the EEO Complaint process guide & provided to new employee orientation, annual supervisors/ refresher courses, hiring workshops we conduct and No FEAR training. It is also published and distributed through the agency wide employee email distribution process. The guide is also posted on the internal and external websites and available hardcopy upon request.

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| <p>A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If “yes”, please provide how often.</p> | <p>X</p> | | <p>The policy/ procedures are provided during new employee orientation, annual supervisors/ refresher courses, hiring workshops we conduct and No FEAR training. They are published and distributed through the agency wide employee email distribution process. The information is also posted on the internal and external websites and available hardcopy upon request.</p> |
| <p>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.</p> | | | <p>X During FY19 we had a draft policy and reporting procedure in staffing. The official publication of the policy was on 01DEC2019. A copy of the policy is uploaded in the substantiated documents section.</p> |

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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

Reference newly published Anti-Harassment policy and reporting procedures, we published a prevention of workplace violence policy, follow the Technician Personnel Regulation 752 & the Douglas Factors to determine actions available to mitigate inappropriate behaviors. All documents are provided during new employee orientation, supervisors/ refresher training, hardcopy and the internal website.

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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 | A.3. The agency assesses and ensures EEO principles are part of its culture. | | | | |
| | 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 | | | The SDNG has a liberal incentive program with time off, on the spot/cash, performance based cash, quality step increases and an employee of the year cash award. This is an all encompassing incentive program where EEO/EO and Diversity & Inclusion programs can be and have been considered. Military related awards are also a consideration. NGB & national awards are routinely considered. |
| | 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 | | | The majority of the workforce is Title 32 dual status (required to hold military status with the national guard). based on this status, a unit climate survey was offered to all applicable units during FY19. The EDI office conducts exit surveys and the HRO office conducts training needs and employee engagement surveys, annually or biennially |

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

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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.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 | | | The EEO Director or SDNG Equal Employment Manager, whom is the senior EEO professional in the organization, works for the Adjutant General and is located within the Adjutant Generals Office suite. The SDNG EEM has been on the Adjutant Generals Staff since 2017. |
| | B.1.a.1. If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments. | | | X | The EEM reports to the agency head. |
| | B.1.a.2. Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)] | X | | | See the organizational chart in the supporting documents section. |
| | B.1.b. Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I] | X | | | The annual MD-715 report review. The EEM meets quarterly with the Adjutant General/Agency Heade. The EEM participates in the bi-weekly coordinating staff, which does include senior management officials and several additional staff, to provide abbreviated program updates. |

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| <p>B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.</p> | <p>X</p> | | <p>At a minimum the agency head holds a quarterly meeting with the EEM. The EEM participates in the bi-weekly coordinating staff meeting and provides program updates.</p> |
| <p>B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]</p> | | <p>X</p> | <p>Outside of the program updates provided in the bi-weekly coordinating staff meetings and the quarterly one-on-one meetings with the agency head, the EEM doesn't regularly participate in senior-level staff meetings with the mentioned concerns.</p> |

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|--|----------------------|----|-----|--|
| | | Yes | No | N/A | |
|  Measures | B.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 | | The EEM facilitates EEO/EO and diversity training, policy and complaint procedures, prepares the MD-715 and conducts a limited barrier analysis. The EEM manages the EEO Complaint process for the agency, and reviews policies in draft/staffing or after publication. The overall affirmative employment program is executed by the Human Resource Office. |
| | B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)] | X | | | Per the Joint Civilian and Technician Discrimination Complaint Instruction guide DTD 08JUN2019 the SDNG EEM maintains oversight on EEO Counseling process as appointed by the agency head. |

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| <p>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.]</p> | <p>X</p> | | <p>Per the Joint Civilian and Technician Discrimination Complaint Instruction guide DTD 08JUN2019 the SDNG EEM maintains oversight on EEO investigation process as appointed by the agency head.</p> |
| <p>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.]</p> | <p>X</p> | | <p>Per the Joint Civilian and Technician Discrimination Complaint Instruction guide DTD 08JUN2019 the SDNG EEM is responsible for the timely issuance of final agency decision, along with other applicable agency leadership/directors/staff as needed, as appointed by the agency head.</p> |
| <p>B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]</p> | <p>X</p> | | <p>Per the Joint Civilian and Technician Discrimination Complaint Instruction guide DTD 08JUN2019 the SDNG EEM is responsible for the managing this process, along with other applicable agency leadership/directors/staff as needed, as appointed by the agency head.</p> |

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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

The EEO program is reviewed annually, along with the program/ policy updates, and on an as needed basis per program updates from the EEOC Excel/ Refresher/ or initial 32 Hour counselors training programs provide and as any updates or changes to the 29 C.F.R section 1614 or law.

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

We do not have subordinate level components.

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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.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 | | The SDNG EEM participates in coordinating staff meetings biweekly, limited participation in the agencies strategic planning and the labor/management union meetings. The EEM sits on the diversity and inclusion councils, which works with recruiting and recruiting strategies - but does not have any participation in workforce succession planning or selections for training/career development. |
| 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 | | The current agency strategic plan specifically addresses diversity and inclusion within Line of Effort 4 at a very basic level with general goals for increasing diversity and inclusion - see supporting documents section for this information. EEO is not specifically addressed the strategic plan. |

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----|-----|---|
| | | Yes | No | N/A | |
|  Measures | B.4. The agency has sufficient budget and staffing to support the success of its EEO program. | | | | |
| B.4.a. Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas: | | | | | |
| B.4.a.1. to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)] | | X | | | The primary effort for the EEO program comes from the EEM - an office of one. The funding for the program is sufficient, however in the event of new complaints these programs are not conducted or put on hold to ensure compliance with the law and 29 C.F.R. 1614. Additional staff would be needed to maintain all programs especially during complaint processing periods. |
| B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)] | | X | | | We published a new policy and standard operating procedures on 1APR2020 for requesting reasonable accommodations and personal assistance services. Currently, this program is resources as needed. |

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| <p>B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]</p> | <p>X</p> | | <p>Per the Joint Civilian and Technician Discrimination Complaint Instruction guide DTD 8JUN2019 the EEM manages this process along with applicable agency leadership/directors/staff as needed.</p> |
| <p>B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]</p> | | <p>X</p> | <p>The primary effort for the barrier analysis comes from the SDNG EEM - a one person office. Additional staff is needed to conduct anything more than a basic barrier analysis. See part H</p> |
| <p>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)]</p> | <p>X</p> | | <p>The primary effort for EEO complaints is collateral EEO Counselors/ Mediators for pre-complaint proc. with oversight provided by the EEM. Formal complaints are processed by the EEM. The EEM may utilize DOD IRD or contract for investigators, FAD writing and legal reviews, if they are not processed internally by the EEM and the agency legal team. More staff needed to keep other programs going.</p> |

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| <p>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.</p> | X | | <p>The EEM provides training to the agency thru new employee orientations, annual/refresher supervisors training and hiring workshops. We also conduct quarterly EEO training on various topics. Lastly, we conduct No FEAR training with new employees, annual for civilians & their supervisors and biennial for all military personnel.</p> |
| <p>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)]</p> | | X | <p>We do not have subordinate components or field offices but we do have other facilities around the state and we conduct annual visits to each one.</p> |
| <p>B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]</p> | X | | <p>We have a budget to support all printing/publication requirements.</p> |
| <p>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.</p> | X | | <p>We have adequate tracking of all complaints/demographics. We now have very basic applicant flow data provided by National Guard Bureau. FY19 was the first year USAjob/Staffing was utilized for new and internal hires. The DCPDS data is still a struggle in order to get data to corresponded to the EEOC 2.0 tables in an understandable and comprehensive manner.</p> |

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|---|----------|--|---|
| <p>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]</p> | <p>X</p> | | <p>The SEPM programs are voluntary and collateral. Through the agencies diversity and inclusion councils we have a Military Women's Program. The EEM is dual hatted as the Disability Program Manager. We recently stopped conducting the Native American Engagement program. Additional SEPM programs are being considered by the diversity councils, especially with the growing Hispanic population in SD.</p> |
| <p>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]</p> | | | <p>X The anti-harassment policy and program was in draft/staffing in FY19. We published the policy/procedures 1DEC2019 and assigned the program responsibility to the Human Resources Office.</p> |
| <p>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)]</p> | <p>X</p> | | <p>The EEO budget is a single line item budget under the management of the EEM.</p> |
| <p>B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]</p> | <p>X</p> | | <p>Per Position Description T5047000-707234 Equal Employment Manager</p> |
| <p>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?</p> | <p>X</p> | | <p>Per the Joint Civilian and Technician Discrimination Complaint Instruction guide DTD 8JUN2019 the EEM manages this process.</p> |

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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

Per the Joint
Civilian and
Technician
Discrimination
Complaint
Instruction guide
DTD 8JUN2019
the EEM manages
this process.

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----|-----|--|
| | | Yes | No | N/A | |
|  Measures | 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 | | | During annual supervisor and refresher training and any hiring workshops we conduct. During annual/biennial No Fear training and quarterly EEO training opportunities. |
| B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)] | | X | | | During annual supervisor and refresher training and any hiring workshops we conduct. During annual/biennial No Fear training and quarterly EEO training opportunities. |
| B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)] | | | | X | In draft during FY19, new policy published 1DEC2019 and will be briefed during annual supervisor and refresher training and any hiring workshops we conduct. During annual/biennial No Fear training and quarterly EEO training opportunities. |

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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

We offer several training opportunities in all of these topics through our HRO/ Training Section, our Labor/ Management Partnership agreement and Interest Based Bargaining process, and strategic planning programs throughout the year.

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

During annual supervisor and refresher training and any hiring workshops we conduct. During annual/biennial No Fear training and quarterly EEO training opportunities.

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----|-----|---|
| | | Yes | No | N/A | |
|  Measures | B.6. The agency involves managers in the implementation of its EEO program. | | | | |
| B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I] | | X | | | Through our diversity and inclusion councils we have the top three key leaders and several directors directly involved in diversity and inclusion initiatives to include the Military Women's Programs. The HRO Director participates in RA/PAS case reviews. |
| B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I] | | X | | | The key leaders are provided copies of the work force data and review the executive summary with the data analysis. Through our diversity councils, and Military Women's program, senior manager see additional data reflective of these under-represented groups in our Military Labor (ML) force to include accessions, attrition and retention which are used to identify potential triggers and barriers. |

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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

The key leaders are provided copies of the work force data and review the executive summary with the data analysis. Through our diversity councils, and Military Women's program, senior manager see additional data reflective of these under-represented groups in our Military Labor (ML) force to include accessions, attrition and retention which are used to identify potential triggers and barriers.

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

Senior Managers implement and utilize the 2019 SDNG Guidance for Conducting Interviews, which is designed to facilitate diverse interview boards and an equitable evaluation and interview process for full time vacancies. Supervisors take and reinforce No FEAR and all required training for the EEO programs. Diversity and Inclusion initiatives within the SDNG strategic plan are supported.

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Essential Element: C Management and Program Accountability

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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.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 EEO program is managed from a single office location and one full time position. The HRO office has two locations but both locations are directly aligned under the Director of HR. The EEM conducts regular assistance visits to all facilities and reviews the work area and bulletin boards for compliance with EEO & Diversity/ Inclusion programs/ postings. All workforce data is centrally managed. |

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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 EEO program is managed from a single office location and one full time position. The HRO office has two locations but both locations are directly aligned under the Director of HR. The EEM conducts regular assistance visits to all facilities and reviews the work area and bulletin boards for compliance with EEO & Diversity/ Inclusion programs/ postings. All workforce data is centrally managed.

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 EEO program is managed from a single office location and one full time position. The HRO office has two locations but both locations are directly aligned under the Director of HR. The EEM conducts regular assistance visits to all facilities and reviews the work area and bulletin boards for compliance with EEO & Diversity/ Inclusion programs/ postings. All workforce data is centrally managed.

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|  Compliance Indicator |  Measures | 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 | |
| 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)] | C.2. The agency has established procedures to prevent all forms of EEO discrimination. | | | X | In draft during FY19, new policy published 1DEC2019. |
| 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 | In draft during FY19, new policy published 1DEC2019 and will be briefed during annual supervisor and refresher training and any hiring workshops we conduct. During annual/biennial No Fear training and quarterly EEO training opportunities. |
| 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 | In draft during FY19, new policy published 1DEC2019. |
| 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 | | | Union grievance procedures are available. Administrative Grievance procedures are available. The Inspector General is available. The anti-harassment program is currently in the process of being initiated by this agency - See previous comments. |
| 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 | In draft during FY19, new policy published 1DEC2019. |

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| <p>C.2.a.5. Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see Complainant v. Dep't of Veterans Affairs, EEOC Appeal No. 0120123232 (May 21, 2015); Complainant v. Dep't of Defense (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.</p> | X | | <p>In draft during FY19, new policy published 1DEC2019. EEO inquiries/ investigations are processed per the SDNG Joint Civilian and Technician Discrimination Complaint Instruction Guide.</p> |
| <p>C.2.a.6. Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]</p> | | X | <p>In draft during FY19, new policy published 1DEC2019.</p> |
| <p>C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR §1614.203(d)(3)]</p> | X | | <p>See the supporting documentation section for the policy and operating procedures.</p> |
| <p>C.2.b.1. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR §1614.203(d)(3)(D)]</p> | X | | <p>See the supporting documentation section for the policy and operating procedures. The EEM Manager is the Disability Program Manager and RA Coordinator.</p> |
| <p>C.2.b.2. Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]</p> | | X | <p>The EEM Manager is the Disability Program Manager and RA Coordinator.</p> |
| <p>C.2.b.3. Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR §1614.203(d)(1)(ii)(B)]</p> | X | | <p>See the supporting documentation section for the policy and operating procedures. All vacancy announcements have the contact information to request a RA/PAS. The information is also posted on our public website at https://sd.ng.mil/NoFEAR/Pages/default.aspx</p> |

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| <p>C.2.b.4. Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR §1614.203(d)(3)(i)(M)]</p> | <p>X</p> | | <p>See the policy memo and paragraph 4.</p> |
| <p>C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If “no”, please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.</p> | <p>X</p> | | <p>Paragraph 6.2.2 in the SDNG Standard Operating Procedures for processing RA/PAS states the time line for determination is 30 days. Per our Installation Status Report for FY19 we process 6 our 8 requests within the 30 day processing time. The additional 2 approved requests were held up do to funding availability.</p> |
| <p>C.2.c. Has the agency established procedures for processing requests for personal assistance services that comply with EEOC’s regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR §1614.203(d)(6)]</p> | <p>X</p> | | <p>These requests are incorporated with the SDNG Requests for RA Standard Operating Procedures and agency policy.</p> |
| <p>C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.</p> | <p>X</p> | | <p>https://sd.ng.mil/NoFEAR/Pages/default.aspx</p> |

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----|-----|---|
| | | Yes | No | N/A | |
|  Measures | C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity. | | | | |
| | C.3.a. Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program? | X | | | References: TPR and SDNG Pam 430: National Guard Technician Performance Appraisal Program established this requirement as part of our employee appraisal processes. |
| | 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 | | | The SDNG Joint Technician and Civilian complaint processing guide sets forth the ADR option available for managers, supervisors and complainants to participate in. References: TPR and SDNG Pam 430: National Guard Technician Performance Appraisal Program established this requirement as part of our employee appraisal processes. |

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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

References: TPR and SDNG Pam 430: National Guard Technician Performance Appraisal Program established this requirement as part of our employee appraisal processes. SDNG Joint Technician and Civilian complaint processing guide addresses full cooperation in complaint proceedings.

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

Per current policies on the prevention of sexual harassment, discrimination (EO/EEO) and workplace violence. See the supporting documentation section for copies of these policies.

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

We conduct an annual supervisors training course and refresher courses, hiring workshops and various communication, team building and perspective training opportunities throughout the fiscal year for all employees to attend. Annual/biennial No FEAR training and various training opportunities through out the year are hosted by our HRO.

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| <p>C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]</p> | <p>X</p> | | <p>References: TPR and SDNG Pam 430: National Guard Technician Performance Appraisal Program established this requirement as part of our employee appraisal processes. SDNG Joint Technician and Civilian complaint processing guide addresses full cooperation in complaint proceedings. We also have a full time Chaplain available for advice or an interactive process when considering requests.</p> |
| <p>C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]</p> | <p>X</p> | | <p>See the EEO policy and the RA/ PAS policy and request processing SOP in the supporting documentation section.</p> |
| <p>C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]</p> | <p>X</p> | | <p>The barrier analysis process is facilitated through the SDNG Strategic Planning process metrics, the Diversity councils and the EDI office. The key leaders in these sections support the analysis process and removal of barriers as determined/ needed to promote equality and broaden competition where appropriate.</p> |

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| <p>C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]</p> | | | <p>X In draft during FY19, new policy published 1DEC2019 and will be briefed during annual supervisor and refresher training and any hiring workshops we conduct. During annual/biennial No Fear training and quarterly EEO training opportunities.</p> |
| <p>C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]</p> | <p>X</p> | | <p>Per the processes in the SDNG Joint Technician and Civilian complaint processing guide.</p> |
| <p>C.3.c. Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]</p> | <p>X</p> | | <p>IAW Technician Personnel Regulations 715 (Voluntary and Non-disciplinary Actions, TPR 752 and 752-1.</p> |
| <p>C.3.d. When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]</p> | <p>X</p> | | <p>IAW Technician Personnel Regulations 715 (Voluntary and Non-disciplinary Actions, TPR 752 and 752-1.</p> |

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----|-----|--|
| | | Yes | No | N/A | |
|  Measures | C.4. The agency ensures effective coordination between its EEO program and Human Resources (HR) program. | | | | |
| | C.4.a. Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)] | X | | | The EEM and the HRO have a general dialogue over EEO topic's to include, complaint reporting, reasonable accommodation and telework requests, vacancy announcement issues, hiring board composition and all policies/ procedures are staffed through each office as needed. |
| | 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 | | | Each of these programs are reviewed on an annual basis for needs/training seats, availability of funding, policy updates and triggers. To include participation and inclusion data in A/B tables 13 regarding Employee Recognition/ Awards and also loss data. Exit Survey data is reviewed annually or every 6 months if trends are noticed. Complaint data is available as well. |

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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

We utilize the workforce data from the DCPDS data base utilized in our HRO for monthly/quarterly and annual data requirements. In addition we have access to the demographic data provided by the Air/Army military services to assess the military labor force potential when considering avenues for vacancy competition of the dual-status vacancies. Applicant flow data comes from NGB and needs work.

C.4.d. Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]

X

The EEM is the survey manager for DEOCS and exit survey administration as well as all complaint data. The HRO manages employee engagement survey data and the results are shared between the two offices. The EEM doesn't have access to grievance data or applicant flow data.

C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:

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C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]

X

Our T5 PWD percentage for our permanent labor force is at 16.46% and well above the 12% federal requirement. Our T5 PWTD percentage for the same workforce is at 1.27% and just below the 2% federal requirement. Based on resurveying our workforce the current state of PWD/PWTD remains steady. One avenue we are considering is broader use of Schedule A hiring.

C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]

X

Our T5 PWD percentage for our permanent labor force is at 16.46% and well above the 12% federal requirement. Our T5 PWTD percentage for the same workforce is at 1.27% and just below the 2% federal requirement. Based on resurveying our workforce the percentages are steady or improved. One avenue we are considering is broader use of Schedule A hiring.

C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]

X

The EDI Office provides training during annual supervisor and refresher training and any hiring workshops we conduct. During annual/biennial No Fear training and quarterly EEO training opportunities.

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C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]

X

The EEM and the HRO have an general dialogue over EEO topic's to include, reporting, reasonable accommodation and telework requests, vacancy announcement issues, hiring board composition and all policies/ procedures are staffed through each office as needed.

C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]

X

The HRO provides data for the MD-715 report and as needed for barrier analysis. They provide input to the questions and areas falling under their primary scope of work.

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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.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 | | | TPR/SDNG Pam 752, 752-1 and TPR 715. These regulations provide the primary guidance for initial disciplinary action in discriminatory cases. |
| | 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 | | | As required by the out come of the case and/or per SDNG Joint Technician and Civilian complaint processing guide, TPR/SDNG Pam 430 and the TPR752/752-1 and 715 regulations all incorporating options for disciplining and/ or holding employee's accountable in the SDNG. We didn't have any cases to report on during FY19. |

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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

As required by the out come of the case and/or SDNG Joint Technician and Civilian complaint processing guide. Also as needed to ensure the inappropriate conduct doesn't happen again. We also conduct routine coordinating staff meetings where this topic may be discussed. We also incorporate trends in complaints into the supervisor courses and hiring workshops - specifically trends over 5 years

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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 | | | Annually at a minimum. Some of the quarterly or monthly meetings/training may highlight special emphasis, data summaries/demographics or complaint basis. |
| | C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I] | X | | | The office of Equality, Diversity and Inclusion is open Monday thru Friday from 7am to 4pm. The EEM is available through cell/email and on an on-call basis as needed. In addition we have collateral EEO counselors available throughout the agency in various offices and alternate work schedules. The program information is on our internal and external websites as well as posted in each facility. |

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Essential Element: D Proactive Prevention

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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.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 | | | We conduct a basic barrier analysis of the workforce data, monthly review of demographic data of military labor force to include accession/recruiting, retention/attrition numbers and marketing/branding strategies. The Military Women's program meets quarterly. We have exit/engagement survey and complaint data to consider. |
| 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 | | | We utilize all of these types of sources to identify triggers in our workforce/agency and determine barriers. We are published a Hiring Guide and Board Composition to ensure diversity and inclusion is facilitated through the hiring process and the diversity of hiring boards facilitates an inclusive environment. see above answer |

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

X

The exit survey is posted on our external website at: <https://sd.ng.mil/Resources/ExitSurvey/Pages/default.aspx> We have conducted exit surveys on select demographics to determine if triggers exist and subsequently develop course(s) of action as needed to eliminate any barriers identified in the process. The SEPM groups conduct addition surveys and research as needed.

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----|-----|---|
| | | Yes | No | N/A | |
|  Measures | D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.) | | | | |
| | D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)] | X | | | Generally we use the root cause analysis or process mapping to determine/validate a trigger and define the barrier for subsequent course of action development to remove the barrier. Example: the military labor force has regulatory or statutory requirements to be a military member - the major labor source for the Title 32 dual status technicians and could be a institutional barrier to hiring |
| | 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 | | | At a minimum during the MD-715 Reporting process/ barrier analysis. However policies/ procedures are staffed through the EEO office and the SEEM provides the primary focus for these areas. We use monthly demographic data and trends in recruiting/ retention and survey data. |

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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

This is considered in our staffing processes, in the event of a RIF, furlough and in any military re-alignment or transformation the HRO office will conduct a person-by-person review of the impact of the changes. This impact is briefed to management for course of action development based on recommendations by HRO, our military personnel departments and our force structure section.

D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I] If "yes", please identify the data sources in the comments column.

X

The annual 462 report Quarterly No FEAR reports DEOCS, focus groups, exit survey and employee engagement surveys workforce data tables/DCPDS data internal studies/demographic reports/various personnel reports budget data/metric reports external reports from DOD, OPM, EEOC and other federal agencies Quarterly diversity assessments Annual workforce data tables.

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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 | | | We continually update the recruiting strategies. Review/ assess the diversity goals and objectives & state lines of effort adding new diversity events/ focus (Holocaust Wall of Remembrance and Cinco De Mayo and revising EEO training to add in unconscious bias training based on survey trends. Published the Hiring Guide for all full time vacancy accessions. |
| | 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 | | | See executive summary |
| | D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)] | X | | | At a minimum the plan is reviewed annually during the MD-715 preparation/update |

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|--|----------------------|----|-----|---|
| | | Yes | No | N/A | |
|  Measures | D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities. | | | | |
| | D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments. | X | | | https://sd.ng.mil/NoFEAR/Pages/default.aspx |
| | 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 | | | Through USAjobs/staffing the applicable vacancy announcements are advertised/open for PWD/PWTD. We also post our vacancies on our public website and offer optional ways employee's can request the information, such as larger font. |
| | 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 | | | The contact information is provided in the vacancy announcements and on our public websites at: https://sd.ng.mil/Careers/Pages/default.aspx |
| | 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 | | | We re-surveyed our labor force for voluntary identification of PWD/PWTD in the fall of FY19. From FY18 to FY19 the |

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Agency Self-Assessment Checklist

Essential Element: E Efficiency

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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.1. The agency maintains an efficient, fair, and impartial complaint resolution process. | | | | |
| E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105? | | X | | | The SDNG Joint Technician and Civilian complaint processing guide sets forth the internal standard for this process. All complaint processes in FY19 were timely. |
| 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 | | | The SDNG Joint Technician and Civilian complaint processing guide - see paragraph 4.a. (7), page 5. |
| E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)? | | X | | | The SDNG Joint Technician and Civilian complaint processing guide - see paragraph 6.b. (1), page 8. |
| 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 | | | No formal complaints were filed in FY19 or carried over from FY18 for final processing. However, per The SDNG Joint Technician and Civilian complaint processing guide - see paragraph 6.c. (3), page 9 |

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| <p>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)?</p> | <p>X</p> | | <p>The SDNG Joint Technician and Civilian complaint processing guide initiates this process and access/ information can be facilitated through the EEM as needed to verify the requirement or provide the information. The requirement to support the EEO program and complaint process are also a part of the performance appraisal program for the agency.</p> |
| <p>E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?</p> | <p>X</p> | | <p>No formal complaints were filed in FY19 or carried over from FY18 for final processing. However, per The SDNG Joint Technician and Civilian complaint processing guide - see paragraph 6.d. (3), page 11</p> |
| <p>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)?</p> | <p>X</p> | | <p>No formal complaints were filed in FY19 or carried over from FY18 for final processing. However, per The SDNG Joint Technician and Civilian complaint processing guide - see paragraph 6.d. (4), page 11</p> |

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| <p>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)?</p> | <p>X</p> | | <p>No formal complaints were filed in FY19 or carried over from FY18 for final processing. However, per The SDNG Joint Technician and Civilian complaint processing guide - see paragraph 6.d. (5), page 11</p> |
| <p>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)?</p> | <p>X</p> | | <p>No formal complaints were filed in FY19 or carried over from FY18 for final processing. However, per The SDNG Joint Technician and Civilian complaint processing guide - see paragraph 6.e. (4), page 12</p> |
| <p>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.</p> | <p>X</p> | | <p>No formal complaints were filed in FY19 or carried over from FY18 for final processing. Through our contract agreement, scope of work/statement of work, we would utilize the contracting regulations to ensure all contractors are held accountable for the quality or lack of quality of work provided.</p> |

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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

No formal complaints filed in FY19 or carried over FY18. We utilize collateral EEO counselors and mediators. Upon completion of the initial training requirements, we initiate a position description addendum through our HRO office, the employees supervisor and the EEM. This addendum, with the expectations, sets the foundation for the employee annual appraisals & input by the EEM as needed.

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

No formal complaints were filed in FY19 or carried over from FY18 for final processing. However, The SDNG Joint Technician and Civilian complaint processing guide stipulates these processes through out depending on the required actions - see paragraph 6.e.(6) - page 12.

DOD DNGB South Dakota National Guard

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Agency Self-Assessment Checklist

|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|--|--|----------------------|----|-----|--|
| | | Yes | No | N/A | |
|  Measures | E.2. The agency has a neutral EEO process. | | | | |
| E.2.a. Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If "yes", please explain. | | X | | | We have two sections of legal support available as well as the option to contract legal support in the event of a defensive requirement. The SDNG Joint Technician and Civilian complaint processing guide - see page 10 |
| 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 | | | We have two sections of legal support available as well as the option to contract legal support in the event of a defensive requirement. The SDNG Joint Technician and Civilian complaint processing guide - see page 10 |
| 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 | | | We have two sections of legal support available as well as the option to contract legal support in the event of a defensive requirement. The SDNG Joint Technician and Civilian complaint processing guide - see page 10 |

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| | | | |
|---|----------|--|---|
| <p>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)]</p> | <p>X</p> | | <p>We have two sections of legal support available as well as the option to contract legal support in the event of a defensive requirement. The SDNG Joint Technician and Civilian complaint processing guide - see page 10</p> |
| <p>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)]</p> | <p>X</p> | | <p>See the three files uploaded in the substantiated documents sections labeled addendum 4 EEO Internal Checklist for Pre-Complaint/ Formal/Class complaints - these checklist identify the time lines for various processes to include the legal counsels sufficiency reviews.</p> |

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|---|---|----------------------|----|-----|--|
| | | Yes | No | N/A | |
|  Measures | 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 SDNG Joint Technician and Civilian complaint processing guide - page 5. We have local mediators available and can also utilize the ADR program provided by National Guard Bureau/Mrs. Karen White |
| 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 SDNG Joint Technician and Civilian complaint processing guide - on page 5 identifies the required participation. |
| 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 SDNG Joint Technician and Civilian complaint processing guide- page 5. We encourage consideration of ADR/conflict resolution options prior to filing if the employee is willing and this has been fairly successful in bringing resolution in some situations. We have a strong labor/ management partnership & experience in interest based bargaining techniques which have served in conflict resolution. |

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| <p>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)]</p> | <p>X</p> | | <p>The SDNG Joint Technician and Civilian complaint processing guide - page 12. This is always available in ADR as well as the option to go to the agency head as needed based on the type of resolution negotiated.</p> |
| <p>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)]</p> | <p>X</p> | | <p>We exercise this as a general practice to insure there isn't a conflict of interest in the settlement process and we have various levels of leadership/ management with overlapping authority as well as the option to go to the agency head for final authority as needed based on the resolution negotiated. See pages 12 and 13 of the SDNG Joint Technician and Civilian complaint processing guide.</p> |
| <p>E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]</p> | <p>X</p> | | <p>Through the annual review of policy/procedures we evaluate the effectiveness of the ADR program when we look at the SDNG Joint Technician and Civilian complaint processing guide.</p> |

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|  Compliance Indicator | | Measure Has Been Met | | | For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report |
|--|--|----------------------|----|-----|---|
| | | Yes | No | N/A | |
|  Measures | E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program. | | | | |
| E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data: | | | | | |
| E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)] | | X | | | The quarterly No FEAR report and Installation Status report, the annual EEOC 462 report and case records maintained in the EDI office. |
| E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)] | | X | | | Monthly demographic reports are available. The HRO office generates and maintains monthly, quarterly and annual reports to include the workforce data for the MD-715 workforce data tables. The military administrative offices all maintain the demographic data for the military labor force. |

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|---|----------|--|--|
| <p>E.4.a.3. Recruitment activities? [see MD-715, II(E)]</p> | <p>X</p> | | <p>Recruitment for the military labor force is tracked through our monthly metric briefings, quarterly diversity council reporting along with Native American engagement and Military Women's program focused efforts. We rely on National Guard Bureau to provide annual applicant flow data for the full time workforce and this data needs to more comprehensive in order to be meaningful - we are working it.</p> |
| <p>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)]</p> | <p>X</p> | | <p>We rely on National Guard Bureau to provide annual applicant flow data for the full time workforce and this data needs to more comprehensive in order to be meaningful. FY19 is the first year we have a complete year of applicant flow data to consider in our workforce data tables and the barrier analysis process.</p> |
| <p>E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]</p> | <p>X</p> | | <p>The EEM/ Disability Program Manager tracks all reasonable accommodation requests.</p> |

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E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]

X

The anti-harassment program is currently in the process of being initiated by this agency. We have a draft policy memorandum and need to determine who the Anti-Harassment Coordinator will be. We do look at all complaint data in the annual 462 report or when trends are identified. The policy was signed and published on 1DEC2019.

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 DEOCS and Employee engagement surveys are conducted at a minimum every 2 years or upon request as needed. We re-surveyed our workforce for disability data in the fall of FY19.

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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 | | | At a minimum this review is conducted during the annual MD-715 self assessment, through EEOC feedback letters, Excel/FDR conferences, and annually during the National Guard Bureau National Training Program. The national Equal Employment Management Advisory Council is composed of EEO professionals from the states. This council works with National Guard Bureau on national EEO trends within the NG. |

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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

At the annual National Guard Bureau National Training Program and through the Equal Employment Management Advisory Council to the Chief of National Guard Bureau, which is composed of EEO professionals from the states - this council works with National Guard Bureau on national EEO trends and best practices in the NG. The NGB SEEM SharePoint/ internal website provides the platform for sharing.

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

We work with several states within our region and comparable in size for best practices and program improvements/ training. States we work with are Idaho, North Dakota, Nevada, Washington, Wyoming and Montana.

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Agency Self-Assessment Checklist

Essential Element: F Responsiveness and Legal Compliance

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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 | 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 | | | Enclosure C of the SDNG Joint Complaint Processing Guide provides guidance/procedures along with the responsible agency officials to ensure we are compliant in this area. |
| | 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 | | | Enclosure B of the SDNG Joint Complaint Processing Guide provides guidance/procedures along with the responsible agency officials to ensure we are compliant in this area. |
| | 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 | | | Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/procedures along with the responsible agency officials to ensure we are compliant in this area. |
| | F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)] | X | | | Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/procedures along with the responsible agency officials to ensure we are compliant in this area. |

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Agency Self-Assessment Checklist

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

Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/procedures along with the responsible agency officials to ensure we are compliant in this area. The employee's performance plan and appraisal would be used to ensure employees are accountable for their duties and responsibilities.

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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 | F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions. | | | | |
| F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)] | | | | X | No formal complaints were filed in FY19 or carried over from previous years for final processing. Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/ procedures along with the responsible agency officials to ensure we are compliant in this area. |
| 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 | No formal complaints were filed in FY19 or carried over from previous years for final processing. Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/ procedures along with the responsible agency officials to ensure we are compliant in this area. |

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Agency Self-Assessment Checklist

| | | | |
|--|----------|--|--|
| <p>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]</p> | | | <p>X No formal complaints were filed in FY19 or carried over from previous years for final processing. Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/ procedures along with the responsible agency officials to ensure we are compliant in this area.</p> |
| <p>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)]</p> | | | <p>X No formal complaints were filed in FY19 or carried over from previous years for final processing. Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/ procedures along with the responsible agency officials to ensure we are compliant in this area.</p> |
| <p>F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?</p> | <p>X</p> | | <p>No formal complaints were filed in FY19 or carried over from previous years for final processing. Enclosure B and C of the SDNG Joint Complaint Processing Guide provides guidance/ procedures along with the responsible agency officials to ensure we are compliant in this area. This agency has provided the EEOC documentation and responses to all official requests regarding compliance requirements.</p> |

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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 | F.3. The agency reports to EEOC its program efforts and accomplishments. | | | N/A | |
| 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 | | | Through the annual 462 report. |
| 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 | | | https://sd.ng.mil/NoFEAR/Pages/default.aspx |

Essential Element: Other

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Plan to Attain Essential Elements

PART H.1

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

A.2.a.1. Anti-harassment policy? [see MD 715, II(A)]

Our anti-harassment policy and reporting operating procedures were in final draft as of the end of this reporting period. We will publish the policy/procedures in the first quarter of FY20.

| | | |
|---|--|--|
| OBJECTIVE: | <u>Date Objective Initiated:</u> May 1, 2019 | <u>Target Date For Completion Of Initiative:</u> Dec 31, 2019 |
| | Publish a policy and the reporting procedures NLT 31DEC2020 | |
| Responsible Official | MG Marlette, BG Michels, Col T. Bartunek | |
| Planned Activities | <u>Target Date</u> | <u>Planned Activity</u> |
| | Oct 1, 2019 12:00 AM | finish the staffing process and publish the policy and compliant guide to all employees. Incorporate the program into all future training for employees and supervisors. |
| Report of Accomplishments and Modifications to Objective | The official policy and reporting procures were published to the full time labor force on 1 December 2020 - see substantiated documents. | |

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Plan to Attain Essential Elements

PART H.2

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

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)]

The EEO Director/EEM currently participates in a bi-weekly Adjutant General update briefing and occasionally the Labor/Management Partnership (Union) meetings. Budget meetings are facilitated through our Budget Analyst. Technology issues/concerns generally come through the bi-weekly briefings. The EEM does not have a mechanism for regular coordination regarding personnel or other workforce issues.

OBJECTIVE:

Date Objective Initiated: Oct 1, 2019 *Target Date For Completion Of Initiative:* Oct 1, 2021

Include the EEM in the directors huddle, HRO and Staffing meetings regarding full time manning, the council of colonels/lieutenant colonels and all meetings where the shaping of the full time force is affected or concerned.

Responsible Official

MG Marlette and Col Bartunek

Planned Activities

Target Date *Planned Activity*

Jul 1, 2020 12:00 AM

The HRO and EEM will create a monthly meeting to discuss personnel and workforce issues starting in July 2020

Oct 1, 2020 12:00 AM

The HRO/LRS will officially add/invite the EEM to all future LMPC meetings and any special meetings called regarding personnel or workforce issues going forward.

**Report of Accomplishments
and Modifications to
Objective**

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Plan to Attain Essential Elements

PART H.3

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
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)]

The EEO Director/EEM participated in past agency strategic planning on a limited basis specifically regarding our Line of Effort (LOE) #4/Increase Diversity & Inclusion. This LOE focused on diversity and inclusion primarily regarding the military labor force. Currently, the agency strategic plan does not incorporate the EEO program specifically nor is the EEM included in the strategic planning sections regarding recruitment strategies, vacancy projections, succession planning or training seat selections and development opportunities.

| | | |
|---|--|---|
| OBJECTIVE: | <i><u>Date Objective Initiated:</u></i> Oct 1, 2018 | <i><u>Target Date For Completion Of Initiative:</u></i> Oct 1, 2020 |
| | Include the EEM in meetings regarding workforce changes, all levels of strategic planning, recruitment strategies, vacancy projections, succession planning and training/career selection and development opportunities. | |
| Responsible Official | MG Marlette | |
| Planned Activities | <i><u>Target Date</u></i> | <i><u>Planned Activity</u></i> |
| | Jul 1, 2020 12:00 AM | Include the EEM in the process/planning/meetings regarding agency strategic planning. |
| Report of Accomplishments and Modifications to Objective | | |

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Plan to Attain Essential Elements

PART H.4

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
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 Director/EEM conducts a basic barrier analysis based on the agency size of less the 500 permanent workforce. The processes are somewhat stove-piped with the EEM primarily seeing the analysis and little participation by HRO or other agency SME's input or visibility of potential triggers/barriers within the purview of the analysis. The EEM conducts the basic analysis primarily due to limited manpower and time available in the EEO office.

| | | |
|-------------------|--|---|
| OBJECTIVE: | <i>Date Objective Initiated:</i> Aug 1, 2020 | <i>Target Date For Completion Of Initiative:</i> Oct 1, 2021 |
| | Continue to work with HRO for data, participation and additional manning for the EDI office and the barrier analysis process. Monitor transition from DCPDS (application/data base of record for all technician workforce data) to DCHRMS with NBG-TN and conversion to 2.0 tables. Work with applicant flow data provided by NGB and analyze how SDNG is advertising vacancies through USA Staffing/Jobs for competition and hiring. Incorporate manual processes for the capture of applicant flow data. | |

| | |
|-----------------------------|--|
| Responsible Official | COL Todd Bartunek, Mr. Dave Frock, Mrs. Jerzak |
|-----------------------------|--|

| Planned Activities | <i>Target Date</i> | <i>Planned Activity</i> |
|---------------------------|----------------------|--|
| | | Oct 1, 2020 12:00 AM |
| | Oct 1, 2020 12:00 AM | Work with the DJS to determine best course of action for the reassignment of the RA/PAS Request Coordinator and DPM program. |
| | Oct 1, 2020 12:00 AM | Work with HRO on EEO manpower taskings and a study to determine the appropriate number of personnel needed in the EEO Office to perform the essential functions of the EEO/EO programs, complaint process, MD-715 reporting requirements and barrier analysis. |

| | |
|---|--|
| Report of Accomplishments and Modifications to Objective | NGB provided applicant flow data and modified DCPDS data for the new reporting requirements for the MD-715 report. The data was better but we still have issues with inputting relevant and accurate data to ensure we are getting accurate reports for analysis. Some of the internal/external vacancy announcements have returned to offline/manual process for advertisement and processing out of HRO - this will change the process for the collection of applicant flow date for those applicable vacancies. |
|---|--|

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Plan to Attain Essential Elements

PART H.5

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

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.

The EEO Director/EEM is included in the agency strategic plan Line of Effort (LOE) #4, which is increase diversity and inclusion. LOE #4 is specifically focused on the military labor force and does not include the EEO program or the full time labor force regarding full time recruiting, vacancy projections, succession planning and/or selections for career advancement/development.

| | | |
|---|--|--|
| OBJECTIVE: | <i>Date Objective Initiated:</i> Jul 1, 2020 | <i>Target Date For Completion Of Initiative:</i> Oct 1, 2021 |
| | Add in the EEO/EO specific principles to the SDNG Strategic plan - specially areas identified in MD-715, part H and potentially I that need improvement as objectives/goals under LOE 4. Goal #1 would be to create inclusion initiatives for increasing the number of women in GS12/13 & 14 positions. Goal #2 create a competitive process for all commander/Deputy & S3/Operation Officer positions. Goal #3 Require all board proceeding full time and/or military to follow the Full-Time Hiring/Board guide. | |
| Responsible Official | MG Marlette, BG Michels, Col Norris | |
| Planned Activities | <i>Target Date</i> | <i>Planned Activity</i> |
| | Jul 1, 2020 12:00 AM | The J5 will add the EEM to the strategic planning processes/meetings/training. |
| Report of Accomplishments and Modifications to Objective | | |

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Plan to Attain Essential Elements

PART H.6

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

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.

The EEO Director/EEM is not responsible for implementing the affirmative employment program - this falls to the HRO. The EEM does conduct a limited barrier analysis to identify triggers and barriers/discrimination in various personnel processes, but the HRO, with delegated authority by the Adjutant General, carries the authority and responsibility for those processes where full time manning/hiring/firing/recruiting, etc are concerned.

| | | |
|---|----------------------------------|--|
| OBJECTIVE: | <i>Date Objective Initiated:</i> | <i>Target Date For Completion Of Initiative:</i> |
| | Jul 1, 2020 | Aug 1, 2020 |
| The HRO and EEM will initiate monthly meetings regarding personnel and workforce issues/concerns. | | |
| Responsible Official | Col Bartunek and Mrs. Jerzak | |
| Planned Activities | <i>Target Date</i> | <i>Planned Activity</i> |
| | Jul 16, 2020 12:00 AM | Initial meeting is set up/scheduled |
| Report of Accomplishments and Modifications to Objective | | |

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Plan to Attain Essential Elements

PART H.7

STATEMENT of
MODEL PROGRAM
ESSENTIAL ELEMENT
DEFICIENCY:

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)]

The EEO Director/EEM is the Disability Program Manager/Reasonable Accommodations Request Coordinator and facilitates all requests for RA/PAS for the agency between the employee requesting the RA/PAS to management for final approval. Outside of the approval process, the EEM is involved in the RA/PAS request process.

| | | |
|---|--|---|
| OBJECTIVE: | <i>Date Objective Initiated:</i> May 1, 2019 | <i>Target Date For Completion Of Initiative:</i> Oct 1, 2020 |
| | Re-assign the disability program and reasonable accommodation coordination process out of the EDI office and assign it where there isn't a conflict of interest or firewall concern in the management of the program and requests. HRO Deputy, HRO Benefits/Workers Comp, or Occupational Health Provider are optional positions without any general conflict of interest or firewall consideration. | |
| Responsible Official | MG Marlette, BG Michels, Col Bartunek, Mrs. Jerzak | |
| Planned Activities | <i>Target Date</i> | <i>Planned Activity</i> |
| | Oct 1, 2020 12:00 AM | Work with the DJA to determine the best course of action for the re-assignment of the DPM and RA/PAS Request Coordinator duties/responsibilities. |
| Report of Accomplishments and Modifications to Objective | | |

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Plan to Eliminate Identified Barriers

PART I.1

STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:

Provide a brief narrative describing the condition at issue.
How was the condition recognized as a potential barrier?

Workforce data table A9 indicates awards/incentives are not equally distributed among genders based on participation and inclusion rates. See the executive summary for the detailed analysis.

STATEMENT OF BARRIER GROUPS:

Barrier Group
All Women

BARRIER ANALYSIS:

Provide a description of the steps taken and data analyzed to determine cause of the condition.

STATEMENT OF IDENTIFIED BARRIER:

Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.

SDNG Incentive PAM and current FY funding programed and provided by HRO are the resources for the awards/incentive program. The Technician Performance Appraisal program and SDNG PAM 430 is also used to consider incentives and awards for T32 and T5 employees. Based on these programs supervisors and other employees can put employees in for time off, cash based, or quality step increase type awards. The regulations do not appear to pose any barriers as written.

Objective

Address the bias in the workplace through EEO/Supervisor/coordination type activates in FY20.
Ensure directors, supervisors, managers and leaders are aware of the inequity and avenues to address the bias.

| | |
|--|-------------|
| Date Objective Initiated | Jan 1, 2019 |
| Target Date For Completion Of Objective | Oct 1, 2020 |

Responsible Officials

MG Marlette TAG, DJS, Cofs, Wing Cmdr, HRO, EEM, All supervisors/Managers

Planned Activities Toward Completion of Objective

Planned Activity

Target Date

Brief the directors/leaders/managers on the inequity of awards and provide courses of action for addressing the bias.

Oct 1, 2020

Report of Accomplishments and Modifications to Objective

DOD DNGB South Dakota National Guard

For period covering October 1, 2018 to September 30, 2019

Plan to Eliminate Identified Barriers

PART I.2

STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER:

Provide a brief narrative describing the condition at issue.
How was the condition recognized as a potential barrier?

Workforce data tables A1-A5, A7 and A8 indicate women are under-represented across the workforce with an overall participation rate of 15.23% of the total workforce in comparison to the state/South Dakota civilian labor force of 49.8% and the SD National Guard military labor force of 21% available to compete for full time vacancies in the agency. Although the difference in numbers is an actual increase of 1 more women working for the agency in FY19 from FY18, the agency also increased its overall full time workforce by 79 employees - with 78 of them being male.

STATEMENT OF BARRIER GROUPS:

Barrier Group
All Women

BARRIER ANALYSIS:

Provide a description of the steps taken and data analyzed to determine cause of the condition.

STATEMENT OF IDENTIFIED BARRIER:

Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.

The military and GS/T32/Technician structure in our workforce is inter-dependent upon each other. The majority of the higher lever positions above the GS12 level are all Title 32/ dual status positions and require military membership to apply or hold them at various ranks from E8, W3 to 03/CPT or higher. Or, these positions are held by Title 32 Active Military Members (Active duty tours). The pool of women at the applicable ranks available to compete averages from 8% on up to 25% and has increased from FY18. This means more women are available to compete for vacancies. Currently policies do not require competing the military equivalent positions for fill - these positions are filled through a board process utilizing a list and pick process to fill equivalent or the competitive positions for the corresponding full time vacancy and/or compatible positions - or the personnel do not meet merit placement criteria to compete.

Objective

Continue to identify, educate, create and maintain awareness of the under-representation to all leadership and supervisors. Identify this issue on the agency strategic plan with objectives and goals to realize progress under LOE 4. Continue to look at competitive processes for military positions and training seat selection processes within every rank level for competitive processes that are fair and equitable and open as broadly as possible to generate greater competition and visibility.

Date Objective Initiated | Oct 1, 2019

Target Date For Completion Of Objective | Sep 30, 2022

Responsible Officials

MG Marlette, BG Michels, Col Petrik, Col Morrell, Col Bartunek, LTC Graves, LTC Hansen/Col Wilkensen TAG, DJS, CoFs, Wing Commander, HRO, RRM, G1/A1

Planned Activities Toward Completion of Objective

Planned Activity

Continue to analyze the gender study from the Military Womens Group and identify areas where women are not fully included and given either equal consideration for vacancies, training seats and upward mobility or a competitive process is implemented to assure a fair and equitable competitive process/ hiring/boarding process is in place.

Target Date

Sep 30, 2020

Report of Accomplishments and Modifications to Objective

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

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

Section I: Efforts to Reach Regulatory Goals

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

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

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

The overall agency PWD percentage of our current Title 5/Civilian workforce is 16.46% and well above the 12% mandate. The breakout between the two categories of employees is almost even per number of individuals with 7 PWD identifying in the GS10 or lower grades and 6 PWD identifying in the GS11 or higher grades. We do have an SES employees. Title 5/Civilian employees are not subject to military fitness and medical standards. However, the majority of our workforce is T32/Military Excepted Technicians and required to serve in the SD National Guard as a condition of their military technician employment and are subject to military fitness and medical standards. The T32 workforce is not considered in this section, however they are included in the workforce data tables uploaded thru the Excel Template process. We uploaded a separate "custom" spreadsheet that reflects just the T5 workforce in the B-Tables. See the substantiated files section for this data.

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

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

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

We fall just short of the 2% goal of PWTD at 1.27% and this is an increase of .05% over FY18. We do not view this shortfall as a trigger because the majority of the personnel serving in these positions still continued to serve in the SD National Guard during FY19. We are starting to see some attrition going into FY20 and will continue to monitor this area for changes. The GS10 or lower grades has 1 PWD voluntarily identifying. The GS11 or higher grades currently do not have any one identifying as a PWD. The majority of our higher level GS positions, excluding a few GS11 and GS12 positions, are dual status military technician or active duty type positions and subject to military fitness and medical standards and not considered in this section.

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

During the annual MD-715 briefing to the Agency Head and Senior Leaders/ Directors, at a minimum, is where the numerical goals are communicated. The Human Resource Officer is aware of the numeric goals and the exceptions to competition for hiring PWD/PWTD through Schedule A. We do not have full time recruiters on our staff outside of the standard staffing specialist. We also communicate the numeric goals to our supervisors/nominating and hiring officials through the annual and refresher supervisors courses and hiring workshops.

Section II: Model Disability Program

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

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

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

Answer Yes

The Equal Employment Manager (EEM) is currently the trained Disability Program Manager for the agency. The EEM also serves as the Reasonable Accommodations Coordinator for all RA/PAS requests. The EEM attended the Disability Program Managers course at DEOMI. The agency will continue to analyze these programs for the need of additional personnel to support the processes.

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 | |
| Architectural Barriers Act Compliance | 0 | 0 | 2 | Martin Yost Chief - Facility Management Office martin.r.yost.mil@mail.mil |
| Answering questions from the public about hiring authorities that take disability into account | 0 | 0 | 3 | Kevin Pudwill Supervisor - Staffing Specialist kevin.r.pudwill.mil@mail.mil |
| Processing applications from PWD and PWTD | 0 | 0 | 3 | Carstin Jerzak EEM carstin.k.jerzak.mil@mail.mil |
| Special Emphasis Program for PWD and PWTD | 0 | 0 | 1 | Carstin Jerzak EEM carstin.k.jerzak.mil@mail.mil |
| Processing reasonable accommodation requests from applicants and employees | 0 | 0 | 3 | Kevin Pudwill Supervisor - Staffing Specialist kevin.r.pudwill.mil@mail.mil |
| Section 508 Compliance | 0 | 0 | 3 | Ted Bartunek Director - Information Management theodore.l.bartunek.mil@mail.mil |

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

Answer Yes

The DPM attended the Disability Program Managers course at DEOMI, receives updated information at the annual EEOC Excel or FDR Workshops. Training over the new RA/PAS policy and request procedures will continue in FY20 with the current policy/ procedures and continue to be conducted in future FY's for managers and employees during the supervisors annual course and refresher training. Training for other personnel involved in processing RA/ PAS is on going, as requests are processed, and as training needs are determined.

B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

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

Answer Yes

The agency supports the program with printing materials, website space and training time as needed. As RA/PAS requests are brought forward, the agency funds any requirements from the appropriate statutory funded account or re-programs funding to meet the requirement.

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.

USAjobs affords us the option to utilize schedule A and applicable Veteran status as well as open vacancy eligible for PWD/PWTD applicants to apply. Applicants voluntarily identifying as a PWD/PWTD or as a disabled Veteran are visible to us as well as on board employee's voluntarily identifying through their records is another way for the agency to identify personnel within our organization with disabilities. Contact information is provided on the vacancy announcements and public websites for applicants needing accommodations in the applicant processes.

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

In FY18 our HRO officer worked with National Guard Bureau to obtain the official authority to utilize schedule A for Title 5/civilian vacancies. The option is available on USAStaffing. We also consider Veteran status to include Veteran's with a disability in the hiring process. This option is also available in USAStaffing.

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.

All applicant packets are forward to agency selection officials through the USAStaffing portal for both internal and external vacancies. Applicants currently meeting Veterans preference or a disability status are identified on the selection certificate and must considered under their preference category first. Once the staffing section determines the applicant meets qualification standards, and preference eligibility, the applicant is added to the certificate for further consideration. Supervisors are required to consider preferred applicants first and also provide significant justification for non-selection.

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

Answer Yes

We conduct an annual supervisors training course, refresher courses and hiring workshops where hiring authorities, such as Veterans preference and Schedule A, are discussed as well as the RA/PAS policy/operating procedures. We also conduct quarterly EEO training on various topics, to include RA/PAS and we have monthly staff meetings where the current status of RA/PAS requests are updated and discussed. RA/PAS and other areas of concern are always considered when setting up/conducting employee/supervisor training.

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 EEM continues to communicate with several state universities regarding the Workforce Recruitment Program and the utilization of students identifying with disabilities to apply for internships funding through NGB. However, there isn't a recruiter in SD that works the WRP program to assist the universities in building the applicant process with the students in order to create a pool for consideration of these internships. We will continue to pursue this option but until a local recruiter for WRP is established, the applicant pool for our agency isn't available at this time in this program. We will continue to pursue contacts to find alternate or appropriate resources for requests and applicant pools as this program developed more in the future.

C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

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

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

The majority of our positions were not eligible for consideration or the hiring of PWD/ PWTD - these are the Title 32 dual status technicians and employees/ applicants are required to be in the National Guard and meet military fitness/ medical standards for serving. The majority of our vacancies were hired from internal and/or onboard workforce pools, also subject to military fitness/medical standards as a condition of employment. Considering our current percentages in the T5 workforce and the low number of new T5 hires, we do not see this as a trigger at this time.

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

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

See the response for C.1. above. We do not see this as a trigger at this time.

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

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

See the response for C.1. above. We do not see this as a trigger at this time.

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

- a. Promotions for MCO (PWD) Answer N/A
- b. Promotions for MCO (PWTD) Answer N/A

See the response for C.1. above. We do not see this as a trigger at this time.

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.

This is currently under consideration in our SDNG Merit Placement program. The fact that the majority of our upper level positions are currently Title 32 dual status military technicians or Active Guard/Reserve (AGR) (similar to active duty) positions only offers the potential for advancement of PWD/PWTD to the GS12 level in the 200/300 occupation series. These select positions may provide potential upward mobility if/when they come open through our current SDNG Merit Placement program/union agreements and under the current merit placement program, PWD, PWTD would be afforded an equal opportunity to compete for them along side any other qualifying employee.

B. CAREER DEVELOPMENT OPPORTUNITES

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

Career and Development Opportunities are per our SDNG Merit Placement program. The majority of our upper level positions are currently Title 32 dual status military technicians or Active Guard/Reserve (AGR) (similar to active duty) positions so advancement generally aligns with military rank progression and education. However, the basic rules of competition apply through our SDNG Merit Placement program/union agreements based on how the agency backfills the vacancy.

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 (#) |
| Detail Programs | | | | | | |
| Fellowship Programs | | | | | | |
| Internship Programs | | | | | | |
| Other Career Development Programs | | | | | | |
| Coaching Programs | | | | | | |
| Mentoring Programs | | | | | | |
| Training Programs | | | | | | |

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

We currently do not have any of these programs.

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

We currently do not have any of these programs.

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

Both the PWD/PWTD are included across all incentive categories except the Quality Step Increase.

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

Both the PWD/PWTD are included across all incentive categories except the Quality Step Increase.

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 No
- b. Other Types of Recognition (PWTD) Answer No

The incentive programs are open to all employees and include the time off, on-the-spot cash awards, performance based cash awards and employee of the year cash awards. Diversity awards are available at the national level for nominations/consideration.

D. PROMOTIONS

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

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

ii. Internal Selections (PWD) Answer N/A

d. Grade GS-13

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

ii. Internal Selections (PWD) Answer N/A

All senior grade level positions require military membership in order to apply/ compete/qualify for.

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

a. SES

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

ii. Internal Selections (PWTD) Answer N/A

b. Grade GS-15

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

ii. Internal Selections (PWTD) Answer N/A

c. Grade GS-14

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

ii. Internal Selections (PWTD) Answer N/A

d. Grade GS-13

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

ii. Internal Selections (PWTD) Answer N/A

All senior grade level positions require military membership in order to apply/ compete/qualify for.

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

a. New Hires to SES (PWD) Answer N/A

b. New Hires to GS-15 (PWD) Answer N/A

c. New Hires to GS-14 (PWD) Answer N/A

d. New Hires to GS-13 (PWD) Answer N/A

All senior grade level positions require military membership in order to apply/ compete/qualify for.

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 N/A

b. New Hires to GS-15 (PWTD) Answer N/A

c. New Hires to GS-14 (PWTD) Answer N/A

d. New Hires to GS-13 (PWTD) Answer N/A

All senior grade level positions require military membership in order to apply/ compete/qualify for.

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

a. Executives

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

ii. Internal Selections (PWD) Answer N/A

b. Managers

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

c. Supervisors

i. Qualified Internal Applicants (PWD) Answer No

ii. Internal Selections (PWD) Answer No

The majority of the career development opportunities come from the military sector based on rank, branch, military occupation, education and leadership background. Merit placement is currently under consideration based on the potential for advancement of PWD/PWTD to the GS12 level in the 200/300 occupation series. These select positions may provide potential upward mobility if/when they come open through our current SDNG Merit Placement program/union agreements just based how the agency backfills the vacancy. Schedule A and Veterans preference/disability are incorporated in our current SDNG Merit Placement program. Our PWD percentages in our total labor force for Total Managers is at 4.10% and among the T5/Civilian positions it is 12.73% - which indicate we are exceeding the 12% requirement among the positions eligible for consideration. No trigger exist at this time.

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 N/A

ii. Internal Selections (PWTD) Answer N/A

b. Managers

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

The majority of the career development opportunities come from the military sector based on rank, branch, military occupation, education and leadership background and PWD/PWTD were not a consideration for the internal vacancies.

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

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

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

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

The majority of the career development opportunities come from the military sector based on rank, branch, military occupation, education and leadership background and PWD/PWTD were not a consideration for the majority of new hires. Where we did open a T5/Civilian vacancy, and PWD and PWTD were eligible to complete we did not have anyone voluntarily identify in any category. However, our current PWD and PWTD percentages within our workforce are steady or even higher then last FY, so we do not consider this a trigger.

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 N/A

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

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

The majority of the career development opportunities come from the military sector based on rank, branch, military occupation, education and leadership background and PWD/PWTD were not a consideration for the external vacancies or new hires.

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

We currently do not have any employees appointed under Schedule A.

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

We did not lose any employees in this category.

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

a. Voluntary Separations (PWTDD)

Answer No

b. Involuntary Separations (PWTDD)

Answer No

We did not lose any employees in this category.

4. If a trigger exists involving the separation rate of PWD and/or PWTDD, 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://sd.ng.mil/Pages/Home.aspx>

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://sd.ng.mil/Pages/Home.aspx>

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.

We updated our public/external website with the appropriate 508 compliance requirements. We posted our updated RA/PAS policy/ request procedures on the public/external website and update all contact information for personnel to contact us for other options available to provide the agency information to them. We also include agency contact information and the option for applicants to request RA/PAS on all vacancy announcements. The majority of our facilities were designed for military use, however we are taking a systematic approach to installing automatic doors for accessibility in any facility where our Title 5 civilian personnel may be required to conduct facility or unit assistance visits for their respective programs.

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.)

24 Days on average to process.

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

The average days to process our RA/PAS requests fall well within the 30 day requirement per our RA/PAS policy and Standard Operating Procedures. No EEO complaints were filed in FY19 based on denial of reasonable accommodation or personal assistant services. Training is provided in the annual and refresher supervisors courses as well as any hiring workshops and in all new employee orientation presentations as well as a copy of the policy and SOP are on all internal and external websites. Also, cases are worked through an interactive process with the employee, supervisor and applicable subject matter experts in order to provide a recommendation/certification of the request to management for a final decision and pending approval/subsequent resourcing. The RA/PAS Coordinator facilitates this process upon receipt of a RA/PAS Request.

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.

Our PAS is combined with the RA policy and SOP. The average days to process our RA/PAS requests fall well within the 30 day requirement per our RA/PAS policy and Standard Operating Procedures. No EEO complaints were filed in FY19 based on denial of reasonable accommodation or personal assistant services. Training is provided in the annual and refresher supervisors courses as well as any hiring workshops and in all new employee orientation presentations as well as a copy of the policy and SOP are on all internal and external websites. Also, cases are worked through an interactive process with the employee, supervisor and applicable subject matter experts in order to provide a recommendation/certification of the request to management for a final decision and pending approval/subsequent resourcing. The RA/PAS Coordinator facilitates this process upon receipt of a RA/PAS Request.

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 - no EEO complaints were filed in FY19

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 - no EEO complaints were filed in FY19

Section VII: Identification and Removal of Barriers

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

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

Answer No

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

Answer N/A

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

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

We continue to work on accurate applicant flow data and workforce data for barrier analysis. Training for our HRO/Staffing Section on utilization of Schedule A preference and hiring opportunities would be beneficial. Lastly, an active recruiter for the WRP program in our state/local area to help in the recruitment of PWD/PWTD would be a major step in creating an applicant pool and awareness of the internship and employment opportunities.

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

The implementation of the RA/PAS policy and SOP has impacted employees needing accommodations in a positive manner as well as helped management and supervisors with alternate courses of action to support employees and continue to get work accomplished. We conducted a re-survey of our workforce for the voluntary identification of PWD/PWTD and our percentages have slightly improved or remained steady. In addition we recently installed automatic entry doors in our headquarters building to improve access for PWD/PWTD employees or other personnel needing access to work or for the services provided within. these improvements and initiatives all show a progressive approach to the inclusion of PWD/PWTD in our workforce.

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.

We will continue to pursue better applicant flow data and accountability in USA Staffing/Jobs for the tracking of applicant information. Continually evaluate our policies and procedures for improvements and compliance. Continue to train on RA/PAS in the applicable training courses. Initiate routine case reviews of RA/PAS requests to ensure timely processing and track trends for identification of triggers or courses of action where management can take proactive measures to improve the workplace for PWD/PWTD and all employees. Determine the feasibility of establishing a specific line item budget to support RA/PAS request resourcing needs.