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## **United States Agency for International Development Plan for Increasing Opportunities for Individuals with Disabilities**

Effective 12/01/00

### **I. Requirements**

On July 26, 2000, President Clinton issued an Executive Order (EO) asking Federal agencies to develop plans to increase the number of opportunities for individuals with disabilities to be employed in the Federal Government. He charged the U.S. Office of Personnel Management (OPM) with developing implementing guidance to Federal agencies on the provisions of the Order.

OPM prescribed that an agency plan should include the following:

- a. A description of how the agency intends to recruit and hire qualified individuals with disabilities, especially targeted disabilities, that includes:
  - The number of individuals with disabilities that the agency believes it can hire over the next five years.
  - The occupations and the number in each occupation the agency plans to hire; and
  - A description of the agency's recruitment strategy.
- b. A description of how the agency will assist individuals with disabilities, once hired, to perform their duties, and to realize their employment potential, including proposals for training, mentoring, and career development; and
- c. Strategies to ensure that reasonable accommodation needs are met.

This document serves as the U. S. Agency for International Development's (USAID) Plan for hiring people with disabilities as required by EO and OPM implementing requirements. USAID is committed to providing equal opportunity in employment for all persons.

### **II. Authorities**

- a. Section 501 of the Rehabilitation Act of 1973
- b. Section 508 of the Rehabilitation Act of 1973
- c. The Vietnam Era Veterans' Readjustment Assistance Act of 1974
- d. The Civil Service Reform Act of 1978
- e. The Americans with Disabilities Act (ADA) of 1990
- f. The Veterans Education and Employment Program Amendments of 1991
- g. The Architectural Barriers Act

- h. The Pregnancy Discrimination Act
- i. Title 5, United States Code, Section 3312 and 3318
- j. The Family and Medical Leave Act of 1993

### **III. Responsibilities**

- a. The Administrator of USAID is responsible for establishing Agency equal opportunity policies and operational guidance and for holding Agency management accountable for the successful implementation of goals and objectives.
- b. The Office of Equal Opportunity Programs (EOP) of USAID is responsible for the following with respect to this plan:
  - Formulating policy and administering, monitoring, and evaluating the implementation of laws, policies, regulations, and Executive Orders related to the provision of equal opportunity without regard to race, color, religion, national origin, physical or mental disabilities, sex, or age.
  - Ensuring equal opportunity to compete in Agency programs involving recruitment, hiring, training, upward mobility, career counseling, equal pay, and promotion.
  - Maintaining a system that provides statistical employment information by race, national origin, sex, physical disability, age, and veterans preference and monitors Agency compliance with applicable laws and statutes.
- c. The Office of Human Resources, Bureau for Management is responsible for the following:
  - All aspects of human resources management including hiring, employee training, career development, pay and allowance policy, and separation of Agency employees;
  - Ensuring Agency compliance with the rules, regulations, policies and procedures governing the employment of people with disabilities, including veterans with service-connected disabilities;
  - Providing guidance and assistance to Bureaus/Offices concerning these areas; and
  - Maintaining data and compiling and submitting annual reports, starting October 2001, to OPM describing progress in meeting the objectives set forth in the EO.
- d. Bureau/Office Heads will be responsible for the following:
  - Maintaining liaison with EOP on all matters affecting implementation of the Agency's policies and procedures relating to the employment of people with disabilities; and

- Assisting the Office of Human Resources by identifying opportunities for hiring individuals with disabilities and ensuring complete fairness in the selection, assignment, promotion, and training of employees with physical disabilities.

#### **IV. Hiring Issues**

##### **a. Composition of USAID Workforce**

The current direct hire workforce of the Agency consists of 2041 Civil Service (CS) and Foreign Service (FS) positions. Civil Service employees constitute the Agency's predominant domestic workforce, and Foreign Service employees serve at posts abroad and for limited periods in the U.S. It is anticipated that the level of CS/FS positions in USAID will remain constant through 2005.

The direct hire workforce is often supplemented by the hiring of individuals under the Intergovernmental Personnel Act (IPA), the Student Career Experience and the Presidential Management Intern Programs, contracts, fellowships, and Expert and Consultant arrangements.

##### **b. External Hiring Limitations**

The Agency has for several years been in a semi-freeze posture due to fluctuating Operating Expense (OE) levels. Since a reduction in force in 1996 and program changes resulting in the identification of surplus employees, USAID has continued placement efforts to locate assignments for affected employees. This has prevented external consideration of resources to fill our vacancies other than on a limited basis. In May 1998, USAID found it necessary to establish the USAID Management Council and identified as one its major duties the review of requests for external recruitment. Requests are reviewed on a case-by-case basis and approved when resources are not available within the Agency.

##### **c. Other Condition of Employment**

One of the requirements and conditions for appointment in the Foreign Service is a medical clearance. In this respect, appointees must be determined and found qualified, without limitation, for worldwide assignment by the Medical Director of the Department of State. A medical clearance is not required for Civil Service appointees in USAID unless the individual is applying for or occupies a position that is subject to specific medical standards, physical requirements, or a medical evaluation program.

#### **V. Hiring Plan**

##### **a. Recruitment Needs**

A fiscal year (FY) 2000-2001 Agency Recruitment Plan for the Foreign Service supports the need for additional officers in a variety of categories. Recruitment is therefore concentrated in that area. A long-range workforce forecast through FY 2005 indicates, because of the "up and out" system of the FS, the majority of recruitment will continue to be for FS officers. Civil Service positions will be filled as vacancies occur.

b. Targeted Opportunities - Five Year Plan

Although it is difficult to predict to what extent the Agency can hire given its changing OE budget allotments, USAID is committing to an increase over the current hiring of employees with disabilities (7.3% of the CS workforce) to at least 8.3% over the next five years. This translates to 10 additional positions into the direct hire workforce or a combination of direct hire and supplemental hiring.

c. Occupations and grade levels

At this time, USAID has determined that it is more conducive to identify Civil Service positions for this plan. The Agency will, however, meet with the Department of State medical staff to review standards for Foreign Service employment that will enhance the Agency's efforts in employing people with disabilities in the Foreign Service.

Civil Service positions are filled as vacancies occur. Historically, our shortfall has been in the service-related areas, e.g., Contracting, Accounting, Auditing and Information Management. USAID will hire for 2 positions per year, within the organizations allotted ceiling, in the following categories:

Contract Specialists	GS-11/12/13
Accountants	GS-07/09 P to 12
Auditors	GS-13
Information Management	GS-13/14
Presidential Management Intern	GS-09/11
(Technical areas such as democracy, economics, public health)	

The occupations are subject to change based on an assessment of overall agency needs each year.

d. Strategy for Recruiting Individuals

USAID will use the competitive hiring process for recruiting applicants and will depend on OPM for referral of individuals with disabilities for Presidential Management Intern appointments. In addition to the regular distribution of announcements, care will be given to circulating copies of announcements to sources likely to attract people with disabilities, e.g., State vocational rehabilitation agencies, state employment offices, the Department of Veterans Affairs, colleges, universities, private organizations, and other organizations that work with disabled individuals.

USAID will continue to post positions on the Agency's Human Resources Webpage for external applicants to access USAID job announcements through the Internet and on the Federal Job Opportunities Listing (FJOL) maintained by OPM.

The Telecommunications Device for the Deaf (TDD) will be reactivated for use by hearing impaired applicants for employment.

**VI. Agency strategy for assisting individuals with disabilities to perform their duties, and to realize their employment potential, including proposals for training, mentoring and career development.**

The former Administrator of USAID in his Equal Opportunity Employment and Disability Policy Statements, affirmed USAID's commitment to carry out a continuing affirmative employment program, including recruitment, promotion opportunity, assignments, and training for people with disabilities and to include people with disabilities in the Agency's development program. To this end, the Administrator holds managers in each major Bureau or Office and the Deputy Administrator or equivalent, accountable for achieving progress in the areas mentioned above.

It is expected that

- Each Bureau/Office will offer orientation programs designed to acclimate the newly hired employee to their new environment.
- Supervisors will provide to the employee a copy of his or her job description and clear description of benchmark performance established for the description or for each level of the description (if the position is career ladder and has promotion potential to a higher level); develop individual development plans (to include training as necessary) specific to the needs of the employee; assign to the employee developmental work and/or projects of sufficient complexity and responsibility as to allow the employee to demonstrate capability to perform effectively at their current level or at the next higher level; provide feedback on the employee's performance during and at the completion of any developmental assignment; and provide timely evaluation of the employee's overall performance at the end of the rating cycle.
- USAID supervisors will recommend promotions in a timely manner for successful performers or implement performance improvement plans if performance is less than satisfactory in accord with established Agency policy and procedures.
- USAID supervisors will serve or will designate individuals to serve as mentors to assist individuals with the navigation of their particular working environment or with career and job decisions.
- Worksites will be modified to enable people with disabilities to more effectively perform their duties as necessary. Alterations may consist of rearranging files or shelves to improve accessibility for people who use wheelchairs; raising or lowering equipment to provide comfortable working heights for people with back injuries; installing special holding devices on desks, machines or benches for people with mobility impairment; or using adaptive technology such as screen readers for people who are blind.
- USAID will consider all options available if an employee with a disability is unable to perform the essential functions of his or her position, even with reasonable accommodation due to a disability. Options that may be considered are providing assistive devices (special equipment) or in certain instances communication tools (interpreters, readers), adjusting the employee's work

schedule, job restructuring, or reassignment to a vacant position at the same grade with reasonable accommodation if necessary.

- USAID will continue to announce career-enhancing opportunities as they occur. USAID will offer whatever accommodation employees may request to assist in their application.

## **VII. Strategies to ensure that reasonable accommodation needs are met.**

For purposes of ensuring equal employment opportunity for persons with disability, on December 13, 1999, the Agency announced the establishment of a Disability Review Committee (DRC). The DRC will make decisions on individual requests for reasonable accommodation. The DRC also will consider, as necessary, disability issues related to certification, employment criteria and tests, pre-employment inquiries, physical access to buildings, reassignment, and discrimination complaints, and making appropriate recommendations as to policy changes. The Office of Equal Opportunity Programs is responsible for oversight of the Committee and its operations.

## **VIII. Definitions**

**Person with a disability:** The Rehabilitation Act of 1973, as amended, defines a person with a disability as an individual who

- Has a physical or mental impairment which substantially limits one or more of such person's major life activities (such as caring for oneself, performing manual tasks, walking, seeing hearing, speaking, breathing, learning, and working). A "physical or mental impairment" means
  - 1) Any physiological disorder, or condition, cosmetic disfigurement or anatomical loss affecting one or more systems such as neurological, musculoskeletal, special sense organs, cardiovascular, reproductive, digestive, respiratory, genito-urinary, hemic and lymphatic, skin, and endocrine; or
  - 2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- Has a record of such an impairment (this means that the person has a history of or has been classified -or misclassified- as having a mental or physical impairment that substantially limits one or more major life activities); or
- Is regarded as having such an impairment; this includes individuals who are perceived to have disabilities.

**Qualified person with a disability:** A qualified person with a disability is a person with a disability who, with or without reasonable accommodation, can perform the essential functions of the position in question.

**Individual (hidden) disabilities:** These are disabilities that are not readily apparent, such as asthma, arthritis, chronic fatigue syndrome, epilepsy, kidney disease, diabetes, cancer, chronic depression, learning disabilities, and mild retardation.

**Reasonable Accommodation:** A reasonable accommodation is an adjustment or alteration that enables people with disabilities to apply for jobs, to gain access to the work environment, to perform job duties, or to enjoy the benefits and privileges of employment. Accommodations are determined on a case-by-case basis, taking into consideration the applicant or employee, his/her specific disability and the existing limitations, the essential functions of the particular job, the work environment, and the effectiveness of the proposed accommodation. Generally, an individual with a disability must request reasonable accommodation to trigger an agency's obligation to provide one. In all cases, the applicant or employee should be consulted before an accommodation is made.

**Targeted disabilities:** Targeted disabilities, as defined by the Equal Employment Opportunity Commission (EEOC), are disabilities "targeted" for emphasis in affirmative action planning. These are deafness, blindness, missing extremities, partial paralysis, complete paralysis, convulsive disorders, mental retardation, mental illness, and genetic or physical conditions affecting limbs and/or spine.

**Substance abuse:** The Americans with Disabilities Act of 1990 amended the Rehabilitation Act (1973) definition of an individual with a disability to exclude "Individuals currently engaging in the illegal use of drugs" with respect to discrimination based on illegal drug use regardless of whether it can be shown to adversely affect job performance or safety. Federal employers are no longer required to offer a firm choice or last chance agreement(s) unless mandated by agency policy or a collective bargaining agreement. Managers experiencing problems in USAID should consult with the Office of Human Resources, the Office of Equal Opportunity Programs and the Office of the General Counsel for legal counsel.

**Persons with Human Immunodeficiency Virus (HIV):** Protection under the Rehabilitation Act begins the moment a person becomes infected with HIV.