

CIVIL RIGHTS UPDATE

March 2008

CIVIL RIGHTS ENFORCEMENT AND COMPLIANCE – (CREC)

CREC MISSION STATEMENT

To provide leadership, direction, coordination, evaluation, and support to the Civil Rights efforts of the Animal and Plant Health Inspection Service.

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Hiring People with Targeted Disabilities: Are we making Progress?

In January 2008, the EEOC issued a report entitled “Improving the Participation Rate of People with Targeted Disabilities in the Federal Work Force.” The EEOC stated that most Federal Agencies are losing more People with Targeted Disabilities (PWTD) than they are hiring. *In FY 2007 consistent with this employment trend, 5 permanent employees with targeted disabilities left the agency and 1 was hired.* For temporary employees with targeted disabilities, 13 left and 6 were hired.

The report showed that the number of permanent government employees with targeted disabilities has dropped over the past two decades. This was also true here at APHIS. At the close of FY 1997, we employed 57 permanent employees with targeted disabilities and in FY 2007 the figure dropped to 52. However, during that decade the number of permanent APHIS employees with targeted disabilities increased to 61 in FY 2002 only to drop to 49 in FY 2003. You may remember that we had a major reorganization that year and transferred roughly 3,000 employees, (PPQ), to the Department of Homeland Security. The number of PPQ PWTD fell from 31 to 15 in FY 03 and rose to 20 by the end of FY 07. We started to make progress after FY 03 when the number of permanent employees with targeted disabilities increased from 49 to 52 in FY 2007.

This year APHIS managers are encouraged to participate with the Workforce Recruitment Program which will begin soon. Look for more information on page 2.

What is a Targeted Disability?
In 1979 the EEOC defined “targeted disabilities” to include blindness, deafness, missing extremities, partial paralysis, complete paralysis, convulsive disorders, mental retardation, mental illness, and distortion of limbs and/or spine. The criteria used to select these disabilities included the severity of the disability, the feasibility of recruitment, and the availability of work force data. EEOC recognizes that there may be other disabilities that are just as or more severe and recommended that a task force consider whether this definition should be reviewed.

The report also looked at awards data and found that the number of PWTD who received awards increased at a lower rate than those with no disabilities (+8.44 compared to +21.20%). However, PWTD received awards at a rate very close to their participation rate in the total work force. Looking at the same statistics for APHIS from FY 1997 to FY 2007, we find that there was an increase of 28% for PWTD and 74% for employees without PWTD and the PWTD awards rate was higher than their participation rate in both years.

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Hiring Persons with Targeted Disabilities Continued:

The report also stated that PWTD are compensated at an average grade level below that of the Federal Government, 8.5 compared to 10. In APHIS the average grade of PWTD in the GS pay plan was 8.4 in FY 2007.

The report contained 38 recommendations for all agencies aimed at accomplishing the following major objectives:

1. Combating Myths and Stereotypes about Employing PWTD;
2. Demonstrate Top-Level Commitment for Employing PWTD;
3. Improve the Daunting Application Process for Federal Employment;
4. Encourage Persons with Disabilities to Self-Identify and Ensure this Information Remains Confidential;
5. Provide Managers with Training on Special Hiring Authorities for PWTD;
6. Provide Managers with Training on Reasonable Accommodations;
7. Enhance the Clout of Disability Programs Within Federal Agencies;
8. Ensure Accountability; and
9. Recognize Success.

The Challenge

The report stated that very few agencies (15.82%) are actually setting hiring goals or making concrete plans to meet those goals, as required by MD-715.

The Goal

APHIS has set a goal to increase the number of employees with targeted disabilities by 5 employees for 3-years, with FY 2007 being the first year, and is making concrete plans to meet that goal.

The APHIS plan, which is described in depth on page 16 of the [APHIS FY 2007 EEO Program Status Report](#) includes the following:

- APHIS disability program managers are going to use conference calls, newsletters and emails to increase their communication with supervisors.
- APHIS will provide managers and supervisors with practical working information and step-by-step details to utilize the Schedule A Hiring Authority.
- APHIS plans to review those job series not traditionally viewed as accessible to persons with targeted disabilities, analyze the most prevalent job series in each program area, and research possible technologies for accommodations.
- APHIS will establish recruitment objectives in each program area for employment of persons with targeted disabilities.
- Top managers at APHIS will monitor the progress in hiring and retaining persons with targeted disabilities on a quarterly basis.
- APHIS will continue to circulate résumés of persons with targeted disabilities to various offices in headquarters and field locations.

What is the Schedule A Hiring Authority? This is a hiring authority designed for use by and for people with disabilities and is available for the federal hiring process. It is also called an "appointing" authority. It allows for non-competitive appointment of individuals with disabilities (5 C.F.R § 213.3102(U)). EEOC stated that this is an alternative to the traditional, and often arduous competitive process. It was designed to provide job opportunities to persons with severe physical disabilities, psychiatric disabilities, and/or mental retardation.

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- APHIS will require annual reasonable accommodation procedures and sensitivity training to managers and supervisors to alleviate the separation of persons with targeted disabilities due to the lack of resources or knowledge.

The plan began in March of 2007 and APHIS has made progress in or has completed many of the action items. (See the [APHIS FY 2007 EEO Program Status Report](#) to view specific accomplishments.)

The Workforce Recruitment Program

To assist the Agency with recruiting and retaining employees with disabilities, we would like managers to utilize the Workforce Recruitment Program (WRP). The WRP is a tool to assist government and businesses in the recruitment of College Students with disabilities. Applicants are highly motivated postsecondary students and recent graduates eager to prove their abilities in the workforce. The WRP is coordinated by the President's Committee on Employment of People with Disabilities and the Department of Defense, with a consortium of 16 other Federal agencies. The WRP is a great resource for employers nationwide to identify qualified temporary and permanent employees from a variety of fields. Since the program's implementation in 1994, there are over 200 schools participating.

Applicant Requirements:

- Be a U.S. Citizen
- Have a substantial disability
- Be enrolled on an accredited institution as a degree-seeking student taking less than a substantially full-time load in the enrollment period immediately prior to graduation; or
- Have graduated from an institution within the past year.

The 2008 Recruitment Campaign for the WRP will kick-off on March 19th. A database with information on applicants will be provided to APHIS Disability Employment Managers. APHIS may hire applicants from this database until March 19, 2009. Salaries are paid by the hiring program and any necessary workplace accommodations are paid by the WRP. If you have any questions, please contact Sophia Kirby on (301) 734-5366.



Tidal Wave Update.

Ten months ago we reported that 1,322 permanent employees were eligible to retire in FY 2007. Yet, APHIS continues to function and now that the holidays have come and gone you may have noticed that the halls are not empty. That is because as of September 30, 2007, only 136 of the employees eligible to retire actually retired. At the same time, APHIS hired 406 people.

In case you are curious, APHIS retirees for FY 2007 were comprised of 35% women and 17% minorities; new hires were comprised of 52% women and 26% minorities. The Merit Systems Protection Board recently released a report, "Attracting the Next Generation," that found that the average age of new Federal hires is 33. The ages of APHIS new hires ranged from 17 to almost 70, with the average age being 40.

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Glancing at the current chart shown below, one can see that there are still a great number of people eligible to retire in the next five years.

APHIS Employees Eligible to Retire

March 2008

Org	Emps.	2008		2009	2010	2011	2012	5-Year	
		Elig.	% of Emps.					Elig.	% of Emp.
OA	43	5	12	6	0	2	1	14	33
PPD	126	24	19	3	8	4	2	41	33
LPA	68	12	18	0	0	0	0	12	18
MRP-BS	670	65	10	18	27	19	26	155	23
IS	89	21	24	4	3	10	1	39	46
PPQ	2,195	339	15	84	85	92	91	691	32
VS	1,832	273	15	53	61	67	58	512	28
AC	155	22	14	5	8	4	7	46	30
WS	675	63	9	15	13	15	14	120	18
BRS	62	7	11	2	1	1	2	13	23
TOTAL	5,915	831	14	190	206	214	202	1,643	28

(800) 342-7231 APHIS Alternative Dispute Center (ADR) (301) 734-6317

If you believe you have been discriminated against, contact the APHIS ADR Center for assistance.

APHIS Manager's EEO Helpline 1-800-372-7428

The EEO Help Line is an opportunity for managers to obtain EEO and Civil Rights assistance quickly and efficiently. Through the Helpline, managers request assistance in resolving EEO and program discrimination complaints and answers to general EEO issues and concerns.

