

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

To capture agencies' affirmative action plan for persons with disabilities (PWD) and persons with targeted disabilities (PWT), 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

While there is no trigger, please note that the CFPB does not fall under the GS pay clusters and therefore uses the following EEOC approved salary clusters: Using the salary clusters and including data from completed Forms SF-256, data on 30% or more disabled veterans, and data on Schedule A(u) appointments which are allowable under the Section 501 regulations, there are no triggers for PWD. As of September 30, 2019, 33.33% of employees earning less than \$69,581 were PWD and 12.67% of employees earning \$69,581 and above were PWD. \* Salary threshold of \$69,581 represents salary for an employee paid at the GS-11 Step 1 level in the Washington-Baltimore-Arlington, DC-MD-VA-WV-PA ("Washington DC") locality area as of September 30, 2019. See <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB.pdf>.

\*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 PWT 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 (PWT)                          Answer    No

b. Cluster GS-11 to SES (PWT)                          Answer    No

While there is no trigger, please note that the CFPB does not fall under the GS pay clusters and therefore uses the following EEOC approved salary clusters: Using the salary clusters and including data from completed Forms SF-256, data on 30% or more disabled veterans, and data on Schedule A(u) appointments which are allowable under the Section 501 regulations, there are no triggers for PWT. As of September 30, 2019, 13.33% of employees earning less than \$69,581 were PWT and 3.24% of employees earning \$69,581 and above were PWT.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numerical Goal	--	12%		2%	
Grades GS-1 to GS-10					
Grades GS-11 to SES					

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

The Disability Compliance Program Manager (DCPM) held meetings with the Office of Human Capital's (OHC) staffing and talent acquisition leadership to highlight the requirements in the final regulations under Section 501 of the Rehabilitation Act, including the 12% and 2% numerical goals. The numerical goals also were communicated to all agency via digital distribution channels (e.g., in the Bureau's Weekly/ Digest and Manager Minute publications). Further, the Office of Equal Opportunity and Fairness (OEOP) informed all Division leaders about the Bureau's Section 501 Affirmative Action Plan (AAP) and numerical goals as part of ongoing D&I strategic planning discussions and encouraged Division leaders to socialize the goals within their Divisions (including to hiring managers). Finally, Director Kraninger referenced the Agency's goals in an all managers communication and in a Bureau all hands message highlighting the importance of, and her commitment to leveraging Schedule A (u) and other non-competitive hiring authorities that promote disability hiring and advancement.

## 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

N/A

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	
Processing applications from PWD and PWT	3	0	0	Department of Treasury's Bureau of the Fiscal Service (BFS), CFPB's third-party service provider, CFPBINQUIRIES@BPD.T
Section 508 Compliance	1	0	0	CFPB_Accessibility@cfpb.
Special Emphasis Program for PWD and PWT	0	0	1	CFPB_DisabilityProgram@
Processing reasonable accommodation requests from applicants and employees	1	0	0	CFPB_REASONABLEAC

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Answering questions from the public about hiring authorities that take disability into account	3	0	0	Department of Treasury's Bureau of the Fiscal Service (BFS), CFPB's third-party service provider, CFPBINQUIRIES@BPD.T
Architectural Barriers Act Compliance	0	0	1	Administrative Operations CFPBFacilities@cfpb.gov

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

In FY 2019, disability program staff received the following targeted training: Members of OEOF and Office of Human Capital (OHC) staff, including disability program staff, attended the following trainings: § Employer Assistance and Resource Network (EARN) on Disability Inclusion sessions via webinars offered throughout the year on multiple disability services and program topics. § Federal Dispute Resolution (FDR) training, which included various sessions on reasonable accommodation-related issues and case law updates along with panel discussions. § EEOC’s EXCEL Training Conference. Other training and events staff attended included: EEOC/Federal Exchange on Employment and Disability (FEED) training, Small Agency 501 Affirmative Action Regulation Working Group sessions, and the DVAAP Forum and Overview. There were also internal briefings hosted by OEOF or Office of Human Capital (OHC) related to the Disability and Accessibility Program (DAP) stand-up, where the Bureau’s AAP and the Section 501 statutory and regulatory requirements were highlighted. The Bureau’s Legal Division also held a Federal Employment Law Training Group LLC webinar series on Reasonable Accommodation in the Federal Workplace, which allowed designated disability program staff, OHC, and Legal Division employees to attend to further their knowledge on topics related to undue hardship, effective accommodations, and disability case law.

## 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 Bureau provided sufficient funding and other resources to successfully implement the disability program during the reporting period. In FY 2019, the Bureau maintained funding and resources for disability programs and services and will continue to provide funding and resources. During this reporting period, the Bureau onboarded a new Reasonable Accommodations Program Manager (RAPM), selected an internal employee for a 120-day detail to perform Accessibilities Specialist duties, and intends to fill a Reasonable Accommodations Coordinator (RAC) position in FY 2020. The Bureau also allocated a new budget line to support the Bureau’s FY 2020 508 Program implementation. The Bureau continues to provide the budget to support and ensure sufficient resources are available for the entire disability program.

## Section III: Program Deficiencies In The Disability Program

## Section IV: Plan to Recruit and Hire Individuals with Disabilities

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

## A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

EEOC conducted a Technical Assistance (TA) visit with CFPB in June 2019. In a letter dated December 17, 2019 from EEOC following up this visit, they stated: "We also applaud CFPB's efforts to improve its recruitment and hiring of people with disabilities (PWD)." The Bureau continues to recruit PWD and PWTD using digital media outreach such as LinkedIn and the Bureau's career page at [www.consumerfinance.gov/jobs](http://www.consumerfinance.gov/jobs). The Bureau encourages individuals with disabilities to apply under the Schedule A(u) Hiring Authority to open positions, which are posted on USAJOBS. The Bureau's OHC Staffing and Talent Acquisition team and the DCPM also encourage hiring managers to utilize programs such as Workplace Recruitment Program (WRP) and OPM's Bender list to identify, interview, and hire PWD and PWTD non-competitively when possible.

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

The Bureau encourages individuals with disabilities (e.g., Schedule A(u), 30% or more disabled veterans, etc.) to apply for positions that are posted via vacancy announcements on USAJobs. Individuals with disabilities who meet minimum qualifications and provide the appropriate documentation are referred to the hiring manager for consideration. This determination is made by the Bureau's third-party service provider, Department of Treasury's Bureau of the Fiscal Service (BFS). With the continued use of the Schedule A(u) hiring authority, CFPB continues to leverage the WRP through the Department of Labor and existing registries housed on [www.max.gov](http://www.max.gov).

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.

If an applicant with eligibility under a hiring authority that takes disability into account is selected, OHC provides guidance to the hiring manager on how the individual may be appointed. The Bureau requests hiring managers use non-competitive hiring authorities where possible. Once a hiring manager identifies a position that they would like to fill non-competitively outside of vacancy announcement procedures, the Bureau's DCPM and Staffing Consultants in OHC work with the hiring manager to identify eligible candidates from pre-approved disability resume databases, such as the WRP data base and existing registries housed on [www.max.gov](http://www.max.gov), as outlined in the Bureau's Schedule A (u) Directive. In this non-competitive process, the eligibility is determined by the third-party database, verified by the DCPM and OHC Staffing and Talent Acquisition team. The hiring managers for these positions are provided with an overview of the hiring authorities that take disability into account prior to and throughout the hiring process, and they are provided with resumes of eligible disabled candidates for consideration. All medical documentation is collected by either the DCPM or OHC for eligibility verification only. No medical documentation is sent to the hiring manager.

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

The OHC Talent Management team delivers Supervisory Development Seminars (SDS), a one-time training CFPB requires all supervisors/managers (at all levels) to take within their first supervisory year, and as a refresher course required for managers to complete every 2-3 years. This training includes a section on hiring authorities such as Schedule A(u). The Office of Civil Rights (OCR) and DAP also circulate information to managers about this hiring flexibility through the digital (email) bi-weekly Manager Minute publication and on the Bureau's intranet site. Written materials (such as the EEOC brochures on using the Schedule A(u) hiring authority) are also made readily available on display stands throughout CFPB facilities. The DCPM and Staffing Consultants assigned to each office also assist managers with all staffing related inquiries, to include Schedule A(u) and other hiring authorities that take disability into account. The DCPM also provides Schedule A(u) and other disability related hiring authority overviews annually during regional, leadership, and individual management meetings.

## 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 DCPM, along with other Bureau Stakeholders in OHC and OMWI, continued to maintain contact and work with organizations/programs that assist PWD and PWTD, such as the Job Accommodation Network (JAN), Employer Assistance and Resource Network (EARN), Workplace Recruitment Program (WRP), Veterans, and Wounded Warrior programs to promote employment opportunities. The Bureau also continues to rank on the Top 20 Government Employers list of the CAREERS & the disABLED Magazine. The Bureau again ranked number 15th on the list featured in the Winter 2018/2019 edition of the magazine. National readers of CAREERS & the disABLED magazine selected the top companies and/or government agencies in the country for which they'd most like to work or which they believe would provide a positive working environment for people with disabilities. OHC, Office of Minority and Women Inclusion (OMWI), DAP, and OCR as appropriate, consult at least annually on outreach and recruitment strategies and priorities. Along with the continued use of the Schedule A(u) hiring authority, the CFPB continues to explore how to best leverage WRP through the Department of Labor and existing registries housed on [www.max.gov](http://www.max.gov).

## C. PROGRESSION TOWARDS GOALS (RECRUITMENT AND HIRING)

- 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 |

There were no triggers identified in the permanent workforce in this category. The following data is provided for reference: In FY 2019, the Bureau had 40 permanent new hires, 7 of which (17.50%) were PWD and 1 (2.50%) of which was a PWTD.

New Hires	Total (#)	Reportable Disability		Targeted Disability	
		Permanent Workforce (%)	Temporary Workforce (%)	Permanent Workforce (%)	Temporary Workforce (%)
% of Total Applicants	0				
% of Qualified Applicants	0				
% of New Hires	0				

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

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

The Bureau has four mission critical occupations (MCOs): 0110/Economists, 0301/Miscellaneous Administration & Program, 0570/Examiners, 0905/General Attorneys. In FY 2019, there are triggers for PWD and PWTD for the permanent new hires when compared to the qualified applicant pool for all four MCOs. There were qualified PWD and PWTD in all four MCOs, but no PWD or PWTD new hires.

New Hires to Mission-Critical Occupations	Total (#)	Reportable Disability		Targetable Disability	
		Qualified Applicants (%)	New Hires (%)	Qualified Applicants (%)	New Hires (%)
Numerical Goal	--	12%		2%	

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 Yes  
 b. Qualified Applicants for MCO (PWTD)                          Answer Yes

In FY 2019, triggers exist for PWD and PWTD when comparing qualified internal applicants in the 0570/Examiner and 0905/Attorney series to the relevant applicant pool. The qualified internal applicants in the 0110/Economist series were too limited to determine whether triggers exist.

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

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

In FY 2019, triggers exist for PWD and PWTD when comparing internal selections in the 0301/Misc. Admin. & Program, 0570/Examiner and 0905/Attorney series to the qualified applicant pool. There were zero internal selections made of PWTD or PWTD in the MCOs.

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

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

### A. ADVANCEMENT PROGRAM PLAN

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

The OHC continued to post all internal advancement opportunities, details, temporary promotions and reassignments on the Bureau’s internal website and ensure that these opportunities are listed on the Daily Announcements feed on the Agency’s intranet so that all employees are informed. Additionally, the Bureau’s DCPM will continue to encourage PWD and PWTD to apply to opportunities, and promote reassignment, promotion, detail, and temporary promotion opportunities that become available to ensure that PWD and PWTD are aware of them. The DCPM will also partner with OHC and OMWI to promote internal advancement opportunities. Other advancement opportunities include:

- Promoting the use of training courses available through the Bureau’s Learning Management System in efforts to improve professional development.
- Encouraging all employees to utilize the Bureau’s Career Development Framework and other internal resources to enhance the growth and development of all employees.
- Promoting the development of personal learning and development goals and helping employees to develop and implement Individual Development Plans.

OCR will continue leading barrier analysis efforts to assist with providing or improving internal advancement opportunities for PWD and PWTD.

## B. CAREER DEVELOPMENT OPPORTUNITIES

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

While the Bureau does not have a formal competitive career development program, the Bureau continues to offer career development tools and resources that assist employees with skill development. The Bureau's Career Development Framework and other internal resources for professional growth and development continue to be available to all Bureau employees, including PWD and PWTD, interested in promoting their career and development goals. Examples include: Individual Development Planning and Career Development Workshops, continuation of the Bureau Team Leader training program, the matrix of courses for Aspiring Leaders, and continued availability of external training and development opportunities. Additionally, the Bureau advertised internal detail opportunities to Bureau employees using a Centralized Detail Posting Process. In FY 2019, Bureau managers relied heavily on internal details, temporary promotions, and reassessments to develop staff and augment work for most of the fiscal year. Internal career opportunities are posted on the Bureau's website as well as on the Daily Announcements feed on the Bureau's internet, which is widely seen by all Bureau employees. In FY 2019, CFPB provided limited competitive student volunteer opportunities and used competitive details to provide general growth opportunities for existing employees. As part of the Bureau's ongoing barrier-analysis efforts, we are investigating the feasibility and need for creating disability-specific development programs and/or for more data collection. More details will be provided as the barrier-analysis investigation proceeds. (See Section VII below.)

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 (%)
Coaching Programs	N/A					
Mentoring Programs	N/A					
Fellowship Programs	N/A					
Other Career Development Programs	N/A					
Internship Programs	N/A					
Detail Programs	N/A					
Training Programs	N/A					

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

See above.

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

See above.

## C. AWARDS

- 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 Yes
b. Awards, Bonuses, & Incentives (PWTD)	Answer Yes

For PWD and PTWD, the EEOC instructs agencies to use the Inclusion Rate (IR), which compares the number of people within the target population (e.g., PWTD or PWD) to the number of people within the benchmark population (e.g., Persons without a Targeted Disability (PWOTD) or Persons without a Disability (PWOD)). This is used because there is no Civilian Labor Force (CLF) category for PWD/PWTD. In other words, EEOC instructs us to compare (1) the ratio of the number of PWD (or PWTD) who got a particular type of award vs. the total number of PWD (or PWTD) eligible for that award with (2) the ratio of the number of PWOD (or PWOTD) who got a particular type of award vs. the total number of PWOD (or PWOTD) eligible for that award. We compare the IR for the Target Population with the IR for the Benchmark Population. The below analysis of the Bureau’s award program is limited to spot and superior achievement awards and is separate from the Bureau’s compensation program where employees receive lump sum payments based on their performance rating. For Awards, when the IR percentage for the target is lower than IR percentage for the benchmark, there is a trigger. The triggers identified below are being analyzed through the Bureau’s ongoing barrier analysis work. Total Awards from \$501-\$999 given: 172 PWD Target (\$501-\$999): 9 PWD Benchmark: 154 PWOD Target (\$501-\$999): 172-9=163 PWOD Benchmark: 1373-154=1219 PWD IR 5.84% < PWOD 13.37%. This is a trigger. Total Awards from \$1000-\$1999 given: 167 PWD Target (\$1000-\$1999): 14 PWD Benchmark: 154 PWOD Target (\$1000-\$1999): 167-14=153 PWOD Benchmark: 1373-154=1219 PWD IR 9.09% < PWOD 12.55%. This is a trigger. Total Awards from \$2000-\$2999 given: 18 PWD Target (\$2000-\$2999): 2 PWD Benchmark: 154 PWOD Target (\$2000-\$2999): 18-2=16 PWOD Benchmark: 1373-154=1219 PWOD IR 1.30% < PWOD 1.31%. This is a trigger; however, the percentages are nearly identical for a small number of awards. Total Awards from 1-10 hours given: 101 PWD Target (1-10 hours): 10 PWD Benchmark: 154 PWOD Target (1-10 hours): 101-10=91 PWOD Benchmark: 1373-154=1219 PWD IR 6.49% < PWOD 7.47%. This is a trigger. Total Awards from 21-30 hours given: 30 PWD Target (21-30 hours): 2 PWD Benchmark: 154 PWOD Target (21-30 hours): 30-2=28 PWOD Benchmark: 1373-154=1219 PWD IR 1.30% < PWOD 2.30%. This is a trigger. ----- Total Awards from \$501-\$999 given: 172 PWTD Target (\$501-\$999): 2 PWTD Benchmark: 46 PWOTD Target (\$501-\$999): 172-2=170 PWOTD Benchmark: 1373-46=1327 PWTD IR 4.35% < PWOTD 12.81%. This is a trigger. Total Awards from \$1000-\$1999 given: 167 PWTD Target (\$1000-\$1999): 4 PWTD Benchmark: 46 PWOTD Target (\$1000-\$1999): 167-4=163 PWOTD Benchmark: 1373-46=1327 PWTD IR 8.70% < PWOTD 12.28%. This is a trigger. Total Awards from 21-30 hours given: 30 PWTD Target (21-30 hours): 0 PWTD Benchmark: 46 PWOTD Target (21-30 hours): 30-0=30 PWOTD Benchmark: 1373-46=1327 PWOTD IR 0% < PWOTD 2.26%. This is a trigger. There were no awards in the groupings of \$3000-\$3999, \$4000-\$4999 or \$5000 or more. There were no time off awards in the 41 or more hours category.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %

- 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

N/A. Due to the CFPB pay system which does not contain “steps” there are no “step increases.”

Other Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Performance Based Pay Increase	0	0.00	0.00	0.00	0.00

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

a. Other Types of Recognition (PWD)

Answer N/A

b. Other Types of Recognition (PWTM)

Answer N/A

N/A. The Bureau does have a program allowing for colleagues and supervisors to recognize individuals for work-related accomplishments (e.g., through certificates of appreciation). However, data are not collected on the demographics of these forms of employee recognition.

## D. PROMOTIONS

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

a. SES

i. Qualified Internal Applicants (PWD)

Answer No

ii. Internal Selections (PWD)

Answer No

b. Grade GS-15

i. Qualified Internal Applicants (PWD)

Answer Yes

ii. Internal Selections (PWD)

Answer No

c. Grade GS-14

i. Qualified Internal Applicants (PWD)

Answer Yes

ii. Internal Selections (PWD)

Answer Yes

d. Grade GS-13

i. Qualified Internal Applicants (PWD)

Answer Yes

ii. Internal Selections (PWD)

Answer Yes

CN-71 (GS-15 equivalent): There is a trigger for qualified internal applicants. The qualified internal applicants who are PWD (0%) are lower than the relevant applicant pool who are PWD (8.33%). CN-60 (GS-14 equivalent): There is a trigger for qualified internal applicants. The qualified internal applicants who are PWD (7.69%) are lower than the relevant applicant pool who are PWD (12.42%). There is a trigger for internal selections. The selectees who are PWD (0.00%) are lower than the qualified internal applicants who are PWD (7.69%). CN-53 (GS-13 equivalent): There is a trigger for qualified internal applicants. The qualified internal applicants who are PWD (1.25%) are lower than the relevant applicant pool who are PWD (11.33%). There is a trigger for internal selections. The selectees who are PWD (0.00%) are lower than the qualified internal applicants who are PWD (1.25%).

2. Does your agency have a trigger involving PWTM 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 (PWT)                          Answer    No

ii. Internal Selections (PWT)                          Answer    No

## b. Grade GS-15

i. Qualified Internal Applicants (PWT)                          Answer    Yes

ii. Internal Selections (PWT)                          Answer    No

## c. Grade GS-14

i. Qualified Internal Applicants (PWT)                          Answer    No

ii. Internal Selections (PWT)                          Answer    Yes

## d. Grade GS-13

i. Qualified Internal Applicants (PWT)                          Answer    Yes

ii. Internal Selections (PWT)                          Answer    Yes

CN-71 (GS-15 equivalent): There is a trigger for qualified internal applicants. The qualified internal applicants who are PWT (0.00%) are lower than the relevant applicant pool who are PWT (2.86%). CN-60 (GS-14 equivalent): There is a trigger for internal selections. The internal selections who are PWT (0.00%) are lower than the qualified internal applicants who are PWT (7.69%). CN-53 (GS-13 equivalent): There is a trigger for qualified internal applicants. The qualified internal applicants who are PWT (1.25%) are lower than the relevant applicant pool who are PWT (2.67%). There is a trigger for internal selections. The internal selections who are PWT (0.00%) are lower than the qualified internal applicants who are PWT (1.25%).

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    Yes

b. New Hires to GS-15 (PWD)                          Answer    Yes

c. New Hires to GS-14 (PWD)                          Answer    Yes

d. New Hires to GS-13 (PWD)                          Answer    Yes

Executives (CN-81, 82, 90) (SES): 0.00% of new hires were PWD compared with 4.46% qualified applicants who were PWD. CN-71 (GS-15 equivalent): 0.00% of new hires were PWD compared with 7.05% qualified applicants who were PWD. CN-60 (GS-14 equivalent): 0.00% of new hires were PWD compared with 4.86% qualified applicants who were PWD. CN-53 (GS-13 equivalent): 0.00% of new hires were PWD compared with 5.15% qualified applicants who were PWD.

4. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWT 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 (PWT)                          Answer    Yes

b. New Hires to GS-15 (PWTD)	Answer	Yes
c. New Hires to GS-14 (PWTD)	Answer	Yes
d. New Hires to GS-13 (PWTD)	Answer	Yes

Executives (CN-81, 82, 90) (SES): 0.00% of new hires were PWTD compared with 1.98% qualified applicants who were PWTD. CN-71 (GS-15 equivalent): 0.00% of new hires were PWTD compared with 3.59% qualified applicants who were PWTD. CN-60 (GS-14 equivalent): 0.00% of new hires were PWTD compared with 2.85% qualified applicants who were PWTD. CN-53 (GS-13 equivalent): 0.00% of new hires were PWTD compared with 2.33% qualified applicants who were PWTD.

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

a. Executives	
i. Qualified Internal Applicants (PWD)	Answer No
ii. Internal Selections (PWD)	Answer No
b. Managers	
i. Qualified Internal Applicants (PWD)	Answer Yes
ii. Internal Selections (PWD)	Answer Yes
c. Supervisors	
i. Qualified Internal Applicants (PWD)	Answer No
ii. Internal Selections (PWD)	Answer No

Managers: There is a trigger for qualified internal applicants. The qualified internal applicants who are PWD (6.06%) are lower than the relevant applicant pool who are PWD (10.14%). There is a trigger for internal selections. The internal selections who are PWD (0.00%) are lower than the qualified internal applicants who are PWD (6.06%).

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

a. Executives	
i. Qualified Internal Applicants (PWTD)	Answer No
ii. Internal Selections (PWTD)	Answer No
b. Managers	
i. Qualified Internal Applicants (PWTD)	Answer No
ii. Internal Selections (PWTD)	Answer Yes
c. Supervisors	
i. Qualified Internal Applicants (PWTD)	Answer No

ii. Internal Selections (PWT)

Answer No

Managers: There is a trigger for internal selections. The internal selections who are PWT (0.00%) are lower than the qualified internal applicants who are PWT (6.06%).

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 Yes

b. New Hires for Managers (PWD)

Answer Yes

c. New Hires for Supervisors (PWD)

Answer No

Executives: 0.00% of new hires were PWD compared with 4.46% qualified applicants who were PWD. Managers: 0.00% of new hires were PWD compared with 7.09% qualified applicants who were PWD.

8. Using the qualified applicant pool as the benchmark, does your agency have a trigger involving PWT 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 (PWT)

Answer Yes

b. New Hires for Managers (PWT)

Answer Yes

c. New Hires for Supervisors (PWT)

Answer No

Executives: 0.00% of new hires were PWT compared with 1.98% qualified applicants who were PWT. Managers: 0.00% of new hires were PWT compared with 2.80% qualified applicants who were PWT.

## Section VI: Plan to Improve Retention of Persons with Disabilities

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

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer Yes

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

a. Voluntary Separations (PWD)

Answer No

b. Involuntary Separations (PWD)

Answer No

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

a.Voluntary Separations (PWTD)	Answer    No
b.Involuntary Separations (PWTD)	Answer    No

Separations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
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4. If a trigger exists involving the separation rate of PWD and/or PWTD, please explain why they left the agency using exit interview results and other data sources.

## **B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES**

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

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

<https://www.consumerfinance.gov/accessibility/> <https://www.consumerfinance.gov/accessibility/file-accessibility-complaint/>

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

<https://www.consumerfinance.gov/accessibility/> <https://www.consumerfinance.gov/accessibility/file-accessibility-complaint/>

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.

In FY 2019, the Bureau’s DCPM led working group efforts to partner with Bureau Administrative Operations, Facilities, and T&I offices to ensure that accessibility to Bureau facilities and technology are considered in Bureau services and the procurement of supplies and services. Contact information for accessibility inquiries was placed on the Bureau’s external website. The Bureau also created a captioning Budget within T&I to ensure that Bureau-wide meetings and events have funding outside of the Reasonable Accommodation budget. During FY 2019, the DCPM and the 508 Program manager developed a thorough 508 program workplan that outlined metrics and milestones to create Bureau-wide 508 program policies and procedures that would improve the accessibility of technology for PWD and PWTD. The results of the workplan attributed to the FY 2020 508 Budget allocation (FY 2020 is the first year the Bureau received a 508 budget).

## **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.)

During FY 2019, the Reasonable Accommodation program processed 86 reasonable accommodation cases, with an average processing time of 24 days (measured beginning the date the relevant request was received until the time a decision on the accommodation was communicated). CFPB's current reasonable accommodation SOP generally requires accommodations to be provided in no more than 30 days, absent extenuating circumstances (which are strictly defined in the SOP). Where extenuating circumstances exist, the Bureau will investigate whether there are temporary measures that can be taken to assist the requestor and provide temporary measures where feasible.

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 Bureau remains committed to providing reasonable accommodations to all employees and applicants for Bureau employment. Reasonable accommodations are centrally funded with a sufficient dedicated budget. In FY 2019, the Bureau revised its Reasonable Accommodations/Personal Assistance Services (PAS) Policy and related Standard Operating Procedures (SOP) and forms. These revised documents were approved by the EEOC in a letter dated August 23, 2019. These policies and procedures ensure that applicants and employees know their rights under the Rehabilitation Act to receive a reasonable accommodation for disability-related limitations if needed to apply for a Bureau job, perform the essential functions of a job, or enjoy equal benefits and privileges of employment at the Bureau. The Bureau's policy also explains management's responsibilities when a supervisor or manager is put on notice that an employee requires a reasonable accommodation. The accompanying SOP lays out the interactive process used when an employee requests a reasonable accommodation for a disability. In FY 2019, the Bureau transferred responsibilities for reasonable accommodations and PAS to the DAP in OEOF, under the supervision of the Agency's new DCPM. (CFPB officials designed the structure for the Agency's new DAP after consultation with EEOC personnel regarding best practices in designing disability programs.) Both the DCPM and OCR Director now report to the OEOF Director. However, to avoid the appearance of any conflict of interest, the OEOF Director takes no part in any decisions pertaining to the providing of reasonable accommodations or the processing or adjudication of EEO complaints raising allegations of violations of the Rehabilitation Act. The Reasonable Accommodation/PAS program also receives legal support from the Legal Division's Office of General Law and Ethics to ensure it is complying with all legal obligations; support from the Bureau's Section 508 Program Manager on technology issues; technical assistance from OCR staff as needed; support from the Department of Treasury's Bureau of the Fiscal Service (BFS) for applicants seeking reasonable accommodations; and contractor medical professional advice when needed. In FY 2019, the Bureau disseminated and trained appropriate staff on the revised policy and procedures (and forms) and posted them on [www.consumerfinance.gov](http://www.consumerfinance.gov), as required under the affirmative action regulations. The most updated, finalized policy and procedures are available at <https://www.consumerfinance.gov/office-civil-rights/reasonable-accommodation-persons-disabilities/>. During FY 2019, the Bureau also conducted general training on the Rehabilitation Act and reasonable accommodations during regional, division, and office meetings to ensure that managers and employees understand the Rehabilitation Act and their role in the reasonable accommodation process and to learn how to respond appropriately when an individual request a reasonable accommodation. Since the realignment of the Reasonable Accommodations Program to the OEOF team in February 2019, the Bureau continues to utilize the Entellitrak system, the Bureau's electronic database for reasonable accommodations, to track reasonable accommodations data. The Bureau conducts ongoing efforts to develop plans in FY 2020 to leverage the Entellitrak system to identify any trends in accommodations requests. Of the 86 RA cases processed in FY 2019 (average processing time of 24 days): The Bureau had 79 cases in which the accommodation request was granted (including seven cases in which the requestor was provided alternate accommodations); six cases where the request was withdrawn (no decision) or where the request for accommodation was denied for failure to provide additional necessary documentation to support the request; and one case that was still open due to extenuating circumstances (interim accommodation provided).

## **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.

The Bureau has updated its Reasonable Accommodation Policy and SOP to include procedures for implementing the PAS requirement. As noted above, the EEOC approved the revised Policy and SOP (and forms) on August 23, 2019. The PAS SOP provides that the process for requesting PAS, the Bureau's process for determining whether such services are required, and the Bureau's determination to deny PAS requests when it would pose an undue hardship, are the same processes as for reasonable accommodation. The Bureau still has had no requests for PAS to date. The Bureau has a contract in place in the event that an employee requests PAS services. CFPB will review and analyze the effectiveness of the revised policy and SOP as appropriate.

## Section VII: EEO Complaint and Findings Data

### A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer No

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

Answer No

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

N/A. According to the EEOC's benchmark, 19.69% of all formal EEO complaints filed government-wide included an allegation of (non-sexual) harassment based on either a mental or physical disability. According to CFPB Form 462 data for FY 2019, 2 out of the 15 formal complaints filed with CFPB's Office of Civil Rights under 29 C.F.R. Part 1614 (not including complaints filed alleging violations of Executive Order 11478) alleged disability-based (non-sexual) harassment. Thus, the CFPB percentage of such complaints is 13.33% (2/15) -- below the government-wide benchmark of 19.69%.

### 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 Yes

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 Yes

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.

According to the EEOC's benchmark, 13.53% of all formal EEO complaints filed government-wide included an allegation of failure to accommodate based on either a mental or physical disability. According to CFPB Form 462 data for FY 2019, 3 out of the 15 formal complaints filed with CFPB's Office of Civil Rights under 29 C.F.R. Part 1614 (not including complaints filed alleging violations of Executive Order 11478) alleged failure to accommodate either a mental or physical disability. Thus, the CFPB percentage of such complaints is 20.00% (3/15) -- above the government-wide benchmark of 13.53%. The Bureau had no findings of discrimination of any kind in FY 2019. However, the Bureau settled 2 matters alleging (at least in part) a failure to provide a disability reasonable accommodation.

## Section VIII: Identification and Removal of Barriers

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

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

Answer 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.

While triggers have been identified, the project is still underway to determine if any of the triggers are causing barriers to equal employment at the Bureau. No barriers regarding applicants or employees with disabilities have been identified to date. The Bureau continues working on completing a multi-year disability barrier analysis (disability barrier analysis efforts started at the end of FY 2018 and are expected to wrap up in the early part of FY 2021) with the assistance of the contractor, ICF Incorporated, LLC. As explained in more detail below, this disability-specific barrier analysis is examining areas previously highlighted by EEOC, as well as additional issues revealed in workforce data tables, AES survey results and responses, and other sources of information. In late FY 2018, the Bureau awarded a new five-year Blanket Purchase Agreement contract (BPA) to a third-party contractor. This new BPA allowed for greater continuity and efficiency in the Bureau's barrier-analysis efforts. In FY 2019, the Bureau issued the first call under this BPA, tasking the new contractor with analyzing data related to the experiences and participation rates of employees with disabilities and targeted disabilities, as recommended in the May 2018 EEOC technical assistance letter approving the Bureau's AAP. After reviewing CFPB's first and second AAP, workforce, complaints, and other data sources, the contractor completed a plan for conducting a wide-ranging barrier analysis concerning applicants and employees with disabilities at the Bureau. The Bureau issued a second call under the BPA at the end of FY 2019 focused on continuing the efforts in the first call, identifying all triggers and any possible barriers for PWD and PWTD, and providing a plan with the results and recommendations to remediate any identified barriers by the end of FY 2020. The barrier analysis is examining a variety of facets of the Bureau's overall disability program and will specifically investigate each of the items listed in the EEOC's letter and all triggers identified in this (and previous) AAPs. The Bureau plans to upload a copy of the contractor's detailed barrier-analysis project plans and timeline to FedSEP with the submission of the AAP and the Bureau's FY 2019 Management Directive (MD) 715 Report, to be filed with EEOC on or before May 15, 2020. The Bureau will also provide updates on progress, conclusions, recommendations, and action steps related to this barrier analysis in its next AAP and MD-715 report to be filed in 2021.

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