

# Annual EEO Program Status Report

## Management Directive – 715

Office of Equal Opportunity and Diversity Management

National Institutes of Health

Department of Health and Human Services

October 1, 2007 to September 30, 2008



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**Appendix B - Data Tables**

To get copies of these Data Tables please contact the OEODM at 301.496.6301.

**EEOC Form  
715-01 Part A – D**

*U.S. Equal Employment Opportunity Commission*

**Federal Agency Annual EEO Program Status Report**

**For period covering October 1, 2007, to September 30, 2008.**

**Part A – Department or Agency Identifying Information**

<b>1. Agency</b>	1. Department of Health and Human Services
<b>1a. 2<sup>nd</sup> level reporting component</b>	National Institutes of Health
<b>1b. 3<sup>rd</sup> level reporting component</b>	N/A
<b>1c. 4<sup>th</sup> level reporting component</b>	N/A
<b>2. Address</b>	2. 1 Center Drive
<b>3. City, State, Zip Code</b>	3. Bethesda, Maryland 20892
<b>4. CPDF Code</b>	4. 240130031
<b>5. FIPS Code(s)</b>	5. 24

**Part B – Total Employment**

<b>1. Enter total number of permanent full-time and part-time employees</b>	<b>1. 12,969</b>
<b>2. Enter total number of temporary employees</b>	<b>2. 4,725</b>
<b>3. Enter total number employees paid from non-appropriated funds</b>	<b>3. 0</b>
<b>4. Total Employment [add lines B 1 through 3]</b>	<b>4. 17,694</b>

## Part C – Agency Official(s) Responsible For Oversight of EEO Programs(s)

1. Head of Agency Official Title	1. Director, National Institutes of Health
2. Agency Head Designee	2. N/A
3. Principal EEO Director/Official – Official Title/series/grade	3. Director, Office of Equal Opportunity and Diversity Management (OEODM), ES-0340
4. Title VII Affirmative EEO Program Official	4. Director, Division of IC Services, OEODM
5. Section 501 Affirmative Action – Program Official	5. Disability Program Manager, OEODM
6. Complaint Processing Program Manager	6. Director, Division of Complaints Management and Resolution, OEODM
7. Other Responsible EEO Staff	7.

## Parte D – List of Subordinate Components Covered in This Report

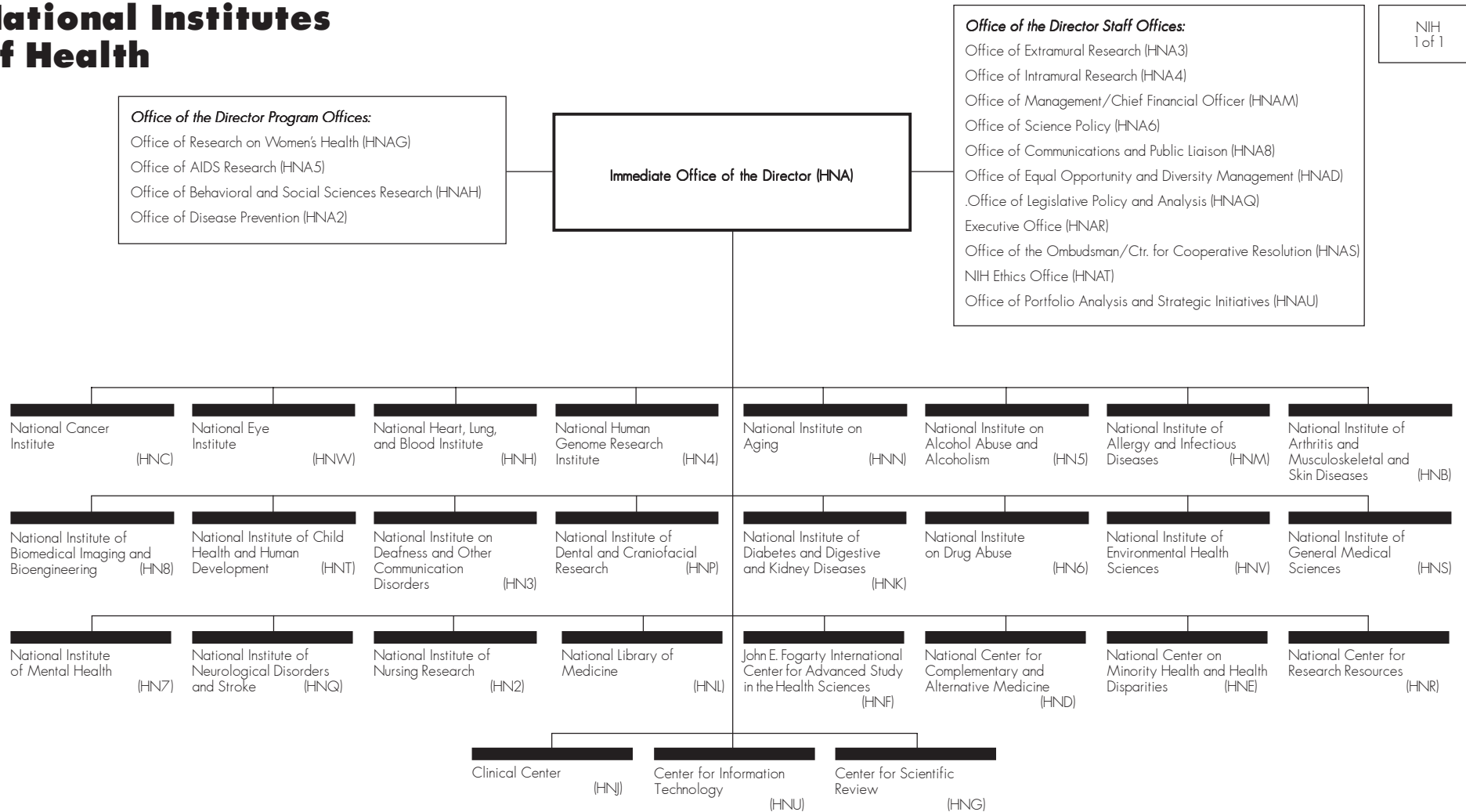
Subordinate Component and Location (City/State)	CPDF Code	FIPS Code
Office of the Director, Bethesda, MD		
National Cancer Institute, Bethesda, MD		
National Eye Institute, Bethesda, MD		
National Heart, Lung, and Blood Institute, Bethesda, MD		
National Human Genome Research Institute, Bethesda, MD		
National Institute on Aging, Bethesda, MD		
National Institute on Alcohol Abuse and Alcoholism, Bethesda, MD		
National Institute of Allergy and Infectious Diseases, Bethesda, MD		
National Institute of Arthritis and Musculoskeletal and Skin Diseases, Bethesda, MD		
National Institute of Biomedical Imaging and Bioengineering, Bethesda, MD		

Subordinate Component and Location (City/State)	CPDF Code	FIPS Code
National Institute of Child Health and Human Development, Bethesda, MD		
National Institute on Deafness and Other Communication Disorders, Bethesda, MD		
National Institute of Dental and Craniofacial Research, Bethesda, MD		
National Institute of Diabetes and Digestive and Kidney Diseases, Bethesda, MD		
National Institute on Drug Abuse, Bethesda, MD		
National Institute of Environmental Health Sciences, Bethesda, MD		
National Institute of General Medical Sciences, Bethesda, MD		
National Institute of Mental Health, Bethesda, MD		
National Institute of Neurological Disorders and Stroke, Bethesda, MD		
National Institute of Nursing Research, Bethesda, MD		
National Library of Medicine, Bethesda, MD		
Center for Information Technology, Bethesda, MD		
Center for Scientific Review, Bethesda, MD		
John E. Fogarty International Center, Bethesda, MD		
National Center for Complementary and Alternative Medicine, Bethesda, MD		
National Center on Minority Health and Health Disparities, Bethesda, MD		
National Center for Research Resources, Bethesda, MD		
Clinical Center, Bethesda, MD		

## EEOC FORMS and Documents Included With This Report

<b>*Executive Summary [FORM 715-01 PART E], that includes:</b>	X	<b>*Optional Annual Self-Assessment Checklist Against Essential Elements [FORM 715-01PART G]</b>	X
Brief paragraph describing the agency's mission and mission-related functions	X	<b>*EEO Plan To Attain the Essential Elements of a Model EEO Program [FORM 715-01PART H] for each programmatic essential element requiring improvement</b>	X
Summary of results of agency's annual self-assessment against MD-715 "Essential Elements"	X	<b>*EEO Plan To Eliminate Identified Barrier [FORM 715-01 PART I] for each identified barrier</b>	X
Summary Analysis of the Workforce Profile	X	<b>*Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals With Targeted Disabilities for agencies with 1,000 or more employees [FORM 715-01 PART J]</b>	X
Summary of EEO Plan objectives planned to eliminate identified barriers or correct program deficiencies	X	<b>*Copy of Workforce Data Tables as necessary to support Executive Summary and/or EEO Plans</b>	X
Summary of EEO Plan action items implemented or accomplished	X	<b>*Copy of data from 462 Report as necessary to support action items related to Complaint Processing Program deficiencies, ADR effectiveness, or other compliance issues.</b>	
<b>*Statement of Establishment of Continuing Equal Employment Opportunity Programs [FORM 715-01 PART F]</b>	X	<b>*Copy of Facility Accessibility Survey results as necessary to support EEO Action Plan for building renovation projects</b>	
<b>*Copies of relevant EEO Policy Statement(s) and/or excerpts from revisions made to EEO Policy Statements</b>	X	<b>*Organizational Chart</b>	X

# National Institutes of Health



The Mission of the National Institutes of Health is science in pursuit of knowledge to improve human health. This means pursuing science to expand fundamental knowledge about the nature and behavior of living systems; to apply that knowledge to extend the health of human lives; and to reduce the burdens resulting from disease and disability.

The National Institutes of Health seeks to accomplish its mission by:

- Fostering fundamental discoveries, innovative research, and their applications in order to advance the Nation's capacity to protect and improve health;
- Developing, maintaining, and renewing the human and physical resources that are vital to ensure the Nation's capability to prevent disease, improve health, and enhance quality of life;
- Expanding the knowledge base in biomedical, behavioral, and associated sciences order to enhance America's economic well-being and ensure a continued high return on the public investment in research; and
- Exemplifying and promoting the highest level of scientific integrity, public accountability, and social responsibility in the conduct of science.

# EEO Policy Statement



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health  
Bethesda, Maryland 20892

**OCT 02, 2007**

**TO:** NIH Employees

**FROM:** Director, NIH

**SUBJECT:** Policy on Equal Employment Opportunity and Diversity Management

The National Institutes of Health (NIH) is re-issuing the Policy Statement on Equal Employment Opportunity (EEO) and Diversity Management to reaffirm my commitment to achieving the goal of discrimination-free work environment. This includes maintaining an atmosphere in which employment opportunities are open to all candidates. EEO means that decisions are made on the basis of merit, without regard to race, color, religion, national origin, sex, age, sexual orientation (through the Department of Health and Human Service's (HHS) Policy on Sexual Orientation), disability, or reprisal for engaging in a prior protected activity. It is critical that the NIH, as the world's premier biomedical research institution, continue to uphold its reputation for excellence by recruiting, training, retaining employees from all backgrounds who are committed to working together to reach our common goal of better health for everyone.

As an agency within HHS, the NIH will continue to develop and implement essential elements of model EEO program, as defined by the Equal Employment Opportunity Commission Management Directive-715 (MD-715). These elements are the following: demonstrated commitment from agency leadership, integration of EEO into the agency's strategic mission, management and program accountability, proactive prevention of unlawful discrimination, efficiency, and responsiveness and legal compliance. The MD-715 process is designed to identify and eliminate barriers to full participation in the workforce for minorities, women, and individuals with disabilities.

In addition to our actions to eliminate employment barriers, we must make efforts to eliminate discrimination and harassment in any form at the NIH. Employees and applicants who believe they have been discriminated against may exercise their right to seek redress by contacting staff of the Office of Equal Opportunity and Diversity Management. No reprisal against an applicant or employee is permitted. Any manager or supervisor who discriminates or retaliates against an employee is subject to disciplinary action in accordance with the NIH Table of Penalties.

I am confident that the continued support of this policy throughout the NIH will demonstrate an inclusive and nondiscriminatory work environment that complements our noble mission.

/s/

**Elias A. Zerhouni**

# EEOC Form 715-01 Part E

*U.S. Equal Employment Opportunity Commission*

## Federal Agency Annual EEO Program Status Report

For period covering October 1, 2007, to September 30, 2008.

### Executive Summary

#### Agency Mission

The National Institutes of Health (NIH), a component of the [U.S. Department of Health and Human Services](#) (HHS), is the primary Federal agency for conducting and supporting medical research. Helping to lead the way toward [important medical discoveries](#) that [improve people's health](#) and save lives, NIH scientists investigate ways to prevent disease as well as discover the causes, treatments, and even cures for common and rare diseases. The NIH is the steward of medical and behavioral research for the Nation. Its mission in science involves the pursuit of fundamental knowledge about the nature and behavior of living systems and the application of that knowledge to extend healthy life and reduce the burdens of illness and disability.

#### Summary of EEO Plan Objectives and Accomplishments

The NIH FY 2008 Annual EEO Program Status Report has three purposes. First, the report identifies program deficiencies and barriers to achieving a Model EEO Program. Second, the report delineates the planned actions necessary to address and/or eliminate the program deficiencies and barriers. Finally, the report outlines the agency's accomplishments toward rectifying the program deficiencies and barriers. An analysis of the NIH workforce for FY 2008 was conducted to complete this report.

The NIH made strides in FY 2008. Some barriers previously identified in FY 2007 have been amended to reflect changes in the workforce and others have been eliminated based on a review of the FY 2008 workforce. Most notably, the NIH has improved diversity in the scientific director workforce.

The NIH has identified five focus areas to address in FY 2009 based on barriers identified in Part I of this report. These focus areas are as follows:

1. Recruitment of Black tenured and tenure track scientists;
2. Recruitment of American Indian/Alaska Native tenure track scientists;
3. Recruitment and retention of Hispanic employees;
4. Recruitment of individuals with disabilities; and
5. Recruitment of Asian/Pacific Islander branch and lab chiefs.

Tenured and tenure track scientists are the senior intramural scientists at NIH who largely guide the direction of the research conducted here at NIH. There are a total of 901 tenured and 247 tenure track scientists in the NIH workforce. Blacks comprise 1.0% of tenured scientists and 1.6% of tenure track scientists at NIH. There are no American Indian/Alaskan Native tenure track scientists at NIH. Given that diversity in the workplace and the elimination of disparities in health are of paramount importance, the NIH has chosen to focus on these areas.

Hispanics represent 3.0% of the total NIH workforce and 10.7% of the civilian workforce; therefore, NIH has chosen to focus on increasing the representation of this group. Similarly, individuals with disabilities represent 4.6% of the total NIH workforce, while the FY 2006 federal benchmark was 8.2%. This indicates need for improvement in the NIH workforce.

Branch and lab chiefs represent a cadre of senior leaders in the NIH intramural program. At NIH, branch and lab chiefs are primarily tenured scientists. Asian/Pacific Islanders comprise 12.3% of the tenured scientists at NIH; however, they account for 6.6% of the branch and lab chiefs. Given the importance of diversity in leadership, the NIH has chosen to focus on diversifying the population of lab and branch chiefs.

The NIH will continue to assess the separation rates of Black employees to determine whether there are any barriers in the workforce that contributed to their elevated separation rates particularly involuntary separation rates in FY 08. The Office of Human Resources continues to work on developing an NIH-wide exit interview survey.

The Office of Equal Opportunity and Diversity Management (OEODM) and Office of Human Resources (OHR) will host a conference in FY 2009 to address program deficiencies and to develop strategies to proactively enhance the overall NIH work environment. It is expected that joint OEODM and OHR work groups will be established as a result of the conference.

## Summary of the Agency's Annual Self-Assessment

The agency has conducted its annual self-assessment against the MD-715 "Essential Elements." The following highlights the agency's FY 2008 activities in support of a Model EEO Program.

### Demonstrated Commitment from Agency Leadership

- The agency head reissued the Policy on Equal Opportunity and Diversity Management on October 2, 2007.
- Agency senior executives and supervisors were evaluated on the EEO critical element in their performance plans.
- The agency hired a racial/ethnic minority senior scientist to coordinate scientific recruitment and increase diversity in the applicant pool.
- The agency held eight Special Emphasis Program Observances to celebrate diversity and the contributions of under-represented groups.

### Integration of EEO into the Agency's Strategic Mission

- The OEODM Director reported to the head of the agency.
- The OEODM Director attended agency senior staff meetings.
- The OEODM Director presented the "State of the Agency" to the NIH director and senior leaders.
- The agency developed EEO competencies for EEO Specialists and EEO Assistants.
- EEO Specialists served on over 400 search committees, qualifications review boards and tenure/promotion review boards.
- The OEODM reviewed proposed re-alignments to assess the impact on minority groups.
- The agency is now able to track applicant flow data from HHS Careers and is still striving to track all applicant flow data.

### **Management and Program Accountability**

- The OEODM staff provided quarterly updates to agency leaders on the demographics of the workforce and monthly updates on complaints activity.
- The Deputy Director for Intramural Research re-issued a memorandum to tenured and tenure track search committee members outlining their responsibility for reaching a diverse applicant pool.
- The Merit Promotion Policy was reviewed.
- Agency staff conducted three EEO Counselor Roundtable Sessions to enhance the skills of its EEO Counselors.
- Agency staff participated as trainers in four HHS EEO Counselor Refresher training sessions.

### **Proactive Prevention of Unlawful Discrimination**

- The agency provided Prevention of Sexual Harassment, Section 508, and No FEAR training for employees.
- The agency hosted three diversity seminars open to all employees.
- The agency provided conflict resolution competence training for managers.
- The agency secured a contractor to conduct a multivariate analysis of compensation and rewards.

### **Efficiency**

- Monthly complaint activity status reports were issued to each IC.
- The agency conducted evaluations of all special emphasis programs and training sessions.
- The agency utilized a web-based customer service survey to gather feedback on the services provided to the workforce.
- The agency offered ADR to employees who filed complaints.
- OEODM and OHR worked together to develop a process for resurveying the workforce to improve the accuracy of the agency's RNO and disability data.

### **Responsiveness and Legal Compliance**

- The agency posted complaints statistical data on the website in compliance with the No FEAR Act.
- The agency's average processing time for EEO counseling was 24 days without an extension and 73 days with an extension.

## **Summary Analysis of the Workforce Profile**

It is important to note that a significant number of NIH employees are in Administratively Determined Pay Plans with time-limited appointments although they hold key positions in the organization. Many of these employees which are considered temporary are employed in mission critical occupations. Where possible additional Govnet tables which capture these employees have been included and used to complete this report. In cases where this population could not be captured using the Govnet tables, supplemental tables have been included in the appendix of this report.

At the end of FY 2008, the NIH had a total workforce of 17,694 employees; of these 12,969 were permanent employees and 4,725 were temporary employees. The workforce count does not include employees in the Commissioned Corps or Advisory Committee members. Women at NIH comprised 58.7% and men comprised 41.3% of the workforce compared to the Civilian Labor Force (CLF) of 46.8% and 53.2% respectively.

A breakdown by race/ national origin and gender is as follows:

Race/National Origin	NIH Total	NIH Males	NIH Females	CLF Total	CLF Male	CLF Female
White	59.69%	26.21%	33.48%	72.70%	39.00%	33.70%
Black	21.49%	6.27%	15.22%	10.50%	4.80%	5.70%
Hispanic	3.02%	1.33%	1.69%	10.70%	6.20%	4.50%
Asian/PI	15.29%	7.32%	7.97%	3.80%*	1.90%*	1.70%*
AI/AN	.51%	.19%	.32%	.60%	.30%	.30%

\* Asian and Native Hawaiian or other Pacific Islander combined.

Overall the NIH workforce increased from FY 2007 to FY 2008. The following net changes occurred by race/national origin and gender:

Race/National Origin	Males	Females
White	2.61%	1.02%
Black	8.19%	1.39%
Hispanic	.43%	-1.32%
Asian/PI	4.52%	6.97%
AI/AN	17.86%	12.00%

The percentage of employees with disabilities in the NIH workforce remained relatively stable between FY 2007 and FY 2008. However, these rates are well below the federal benchmarks.

	NIH FY 2007	NIH FY 2008	Federal Benchmark FY 2007
Reportable Disabilities	4.63%	4.62%	TBA*
Targeted Disabilities	1.03%	1.02%	2.65%

\* The EEOC has not yet announced the FY 2007 benchmark for reportable disabilities.

## Trends in EEO Complaints

The NIH experienced an increase in the number of complaints filed between FY 2006 and FY 2008. This increase is believed to be attributed to the NIH's change from a pass/fail performance rating system to a tiered pay for performance system. This new pay for performance based system ties monetary awards to annual performance evaluations. Additionally, the Division of Complaints Management and Resolution (DCMR) relocated to the

main NIH campus where most of the employees are located from an off-site location. This move increases physical access to DCMR.

**Trends in NIH Complaints Fiscal Years 2006-2008**

	FY 2006	FY 2007	FY 2008
<b>Pre-Complaints</b>	93	128	133
<b>Formal Complaints</b>	48	75	90

Non-sexual harassment has been the number one issue for formal complaints between FY 2006- 2008, while reprisal has been the number one basis for formal complaints in the past two years. The OEODM has not identified any barriers in this area.

All employees who wish to file complaints are given a choice of traditional EEO counseling or Alternative Dispute Resolution (ADR) where appropriate. Exceptions to this election of processes include allegations of sexual harassment and termination. Between FY 2006 and FY 2008 there has been a downward trend in the number of employees electing ADR. This is likely due to the fact that NIH has separate ADR and EEO offices and the workforce is now fully aware of the choice of office and process; hence, employees wishing to try ADR to resolve their disputes likely go directly to the ADR office first and if the matter is resolved these individuals do not present to the EEO office. Hence, they are not counted in the number of employees electing ADR in the complaints reports.

**Trends in ADR Fiscal Years 2006-2008**

	FY 2006	FY 2007	FY 2008
<b># of Complainants Offered ADR by Agency</b>	92	131	124
<b># of Complaints Accepting ADR</b>	44	50	31
<b>% of Complainants Utilizing ADR</b>	48%	38%	25%

**EEOC Form  
715-01 Part F**

*U.S. Equal Employment Opportunity Commission*

**Federal Agency Annual EEO Program Status Report  
For period covering October 1, 2007, to September 30, 2008.**

**Certification of Establishment of Continuing  
Equal Employment Opportunity Programs**

I,

**Lawrence N. Self, Director,  
Office of Equal Opportunity and Diversity Management, ES 0340**

am the

Principal EEO/Director/Official  
for

**National Institutes of Health, Department of Health and  
Human Services**

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 Plan 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

\_\_\_\_\_  
*/s/*

**Date: 12/19/08**

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

\_\_\_\_\_  
*/s/*

**Date: 1/09/09**

**Raynard S. Kington, M.D., Ph.D., Acting Director NIH  
Signature of Agency Head or Agency Head Designee**

# EEOC Form 715-01 Part G

*U.S. Equal Employment Opportunity Commission*

## Federal Agency Annual EEO Program Status Report

### Agency Self-Assessment Checklist Measuring Essential Elements

#### Essential Element A – Demonstrated Commitment from Agency Leadership

Requires the agency head to issue written policy statements ensuring a workplace free of discriminatory harassment and a commitment to equal employment opportunity.

**Compliance Indicator: EEO policy statements are up-to-date.**

Measures	Measure has been met	Measure has not 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
<p>The Agency Head (NIH Director) was installed on May 20, 2002. The EEO policy statement was issued on August 15, 2002.</p> <p>Was the EEO policy Statement issued within 6 - 9 months of the installation of the Agency Head?</p> <p>If no, provide an explanation.</p>	X		
<p>During the current Agency Head's tenure, has the EEO policy Statement been re-issued annually?</p> <p>If no, provide an explanation.</p>	X		
<p>Are new employees provided a copy of the EEO policy statement during orientation?</p>	X		
<p>When an employee is promoted into the supervisory ranks, is s/he provided a copy of the EEO policy statement?</p>	X		The EEO Policy Statement is posted annually on the NIH website for review by all employees.

**Compliance Indicator: EEO policy statements have been communicated to all employees**

Measures	Measure has been met	Measure has not 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
Have the heads of subordinate reporting components communicated support of all agency EEO policies through the ranks?	X		
Has the agency made written materials available to all employees and applicants, informing them of the variety of EEO programs and administrative and judicial remedial procedures available to them?	X		
Has the agency prominently posted such written materials in all personnel offices, EEO offices, and on the agency's internal website? [see 29 CFR §1614.102(b)(5)]	X		

**Compliance Indicator: Agency EEO policy is vigorously enforced by agency management.**

Measures	Measure has been met	Measure has not 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
Are managers and supervisors evaluated on their commitment to agency EEO policies and principles, including their efforts to:	X		
resolve problems/disagreements and other conflicts in their respective work environments as they arise?	X		
address concerns, whether perceived or real, raised by employees and following-up with appropriate action to correct or eliminate tension in the workplace?	X		
support the agency's EEO program through allocation of mission personnel to participate in community out-reach and recruitment programs with private employers, public schools and universities?	X		

Measures	Measure has been met	Measure has not 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
ensure full cooperation of employees under his/her supervision with EEO office officials such as EEO Counselors, EEO Investigators, etc.?	X		
ensure a workplace that is free from all forms of discrimination, harassment and retaliation?	X		
ensure that subordinate supervisors have effective managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications?	X		
ensure the provision of requested religious accommodations when such accommodations do not cause an undue hardship?	X		
ensure the provision of requested disability accommodations to qualified individuals with disabilities when such accommodations do not cause an undue hardship?	X		
Have all employees been informed about what behaviors are inappropriate in the workplace and that this behavior may result in disciplinary actions?	X		
Describe what means were utilized by the agency to so inform its workforce about the penalties for unacceptable behavior.			
Have the procedures for reasonable accommodation for individuals with disabilities been made readily available/accessible to all employees by disseminating such procedures during orientation of new employees and by making such procedures available on the World Wide Web or Internet?	X		Reasonable Accommodations procedures are available on the website
Have managers and supervisor been trained on their responsibilities under the procedures for reasonable accommodation?	X		

## Essential Element B – Integration of EEO into the Agency's Strategic Mission

Requires that the agency's EEO programs be organized and structured to maintain a workplace that is free from discrimination in any of the agency's policies, procedures or practices and supports the agency's strategic mission.

**Compliance Indicator: 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.**

Measures	Measure has been met	Measure has not 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
<p>Is the EEO Director under the direct supervision of the agency head? <b>[see 29 CFR §1614.102(b)(4)]</b></p> <p>For subordinate level reporting components, is the EEO Director/Officer under the immediate supervision of the lower level component's head official?</p> <p>(For example, does the Regional EEO Officer report to the Regional Administrator?)</p>	X		
<p>Are the duties and responsibilities of EEO officials clearly defined?</p>	X		
<p>Do the EEO officials have the knowledge, skills, and abilities to carry out the duties and responsibilities of their positions?</p>	X		
<p>If the agency has 2nd level reporting components, are there organizational charts that clearly define the reporting structure for EEO programs?</p>	X		
<p>If the agency has 2nd level reporting components, does the agency-wide EEO Director have authority for the EEO programs within the subordinate reporting components?</p>	X		
<p>If not, please describe how EEO program authority is delegated to subordinate reporting components.</p>			

**Compliance Indicator: The EEO Director and other EEO professional staff responsible for EEO programs have regular and effective means of informing the agency head and senior management officials of the status of EEO programs and are involved in, and consulted on, management/personnel actions.**

Measures	Measure has been met	Measure has not 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
Does the EEO Director/Officer have a regular and effective means of informing the agency head and other top management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program?	X		
Following the submission of the immediately preceding FORM 715-01, did the EEO Director/Officer present to the head of the agency and other senior officials the "State of the Agency" briefing covering all components of the EEO report, including an assessment of the performance of the agency in each of the six elements of the Model EEO Program and a report on the progress of the agency in completing its barrier analysis including any barriers it identified and/or eliminated or reduced the impact of?	X		
Are EEO program officials present during agency deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections for training/career development opportunities, and other workforce changes?	X		EEO Officials are generally present during agency deliberations prior to decisions regarding recruitment strategies for senior level positions (e.g. SES, title 42 senior scientists). The OEODM recently developed a partnership with OHR to receive the NIH's staffing plan which delineates vacancy projections and aids in succession planning. However, EEO is still not involved in selections for training/career development opportunities
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 re-alignments?	X		

Measures	Measure has been met	Measure has not 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
Are management/personnel policies, procedures and practices examined at regular intervals to assess whether there are hidden impediments to the realization of equality of opportunity for any group(s) of employees or applicants? [see 29 C.F.R. § 1614.102(b)(3)]	X		
Is the EEO Director included in the agency's strategic planning, especially the agency's human capital plan, regarding succession planning, training, etc., to ensure that EEO concerns are integrated into the agency's strategic mission?	X		

**Compliance Indicator: The agency has committed sufficient human resources and budget allocations to its EEO programs to ensure successful operation.**

Measures	Measure has been met	Measure has not 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
Does the EEO Director have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity?	X		
Are sufficient personnel resources allocated to the EEO Program to ensure that agency self-assessments and self-analyses prescribed by EEO MD-715 are conducted annually and to maintain an effective complaint processing system?	X		
Are statutory/regulatory EEO related Special Emphasis Programs sufficiently staffed?	X		
Federal Women's Program - 5 U.S.C. 7201; 38 U.S.C. 4214; Title 5 CFR, Subpart B, 720.204	X		
Hispanic Employment Program - Title 5 CFR, Subpart B, 720.204	X		

Measures	Measure has been met	Measure has not 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
People With Disabilities Program Manager; Selective Placement Program for Individuals With Disabilities - Section 501 of the Rehabilitation Act; Title 5 U.S.C. Subpart B, Chapter 31, Subchapter I-3102; 5 CFR 213.3102(t) and (u); 5 CFR 315.709	X		
Are other agency special emphasis programs monitored by the EEO Office for coordination and compliance with EEO guidelines and principles, such as FEORP - 5 CFR 720; Veterans Employment Programs; and Black/African American; American Indian/Alaska Native, Asian American/Pacific Islander programs?	X		

**Compliance Indicator: The agency has committed sufficient budget to support the success of its EEO Programs.**

Measures	Measure has been met	Measure has not 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
Are there sufficient resources to enable the agency to conduct a thorough barrier analysis of its workforce, including the provision of adequate data collection and tracking systems		X	NIH is now able to track some but not all applicants for employment. NIH is now tracking applicants who apply via HHS careers; however, we not yet able to track applicants who apply through other sources
Is there sufficient budget allocated to all employees to utilize, when desired, all EEO programs, including the complaint processing program and ADR, and to make a request for reasonable accommodation? (Including subordinate level reporting components?)	X		
Has funding been secured for publication and distribution of EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures, etc.)?	X		

Measures	Measure has been met	Measure has not 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
Is there a central fund or other mechanism for funding supplies, equipment and services necessary to provide disability accommodations?	X		
Does the agency fund major renovation projects to ensure timely compliance with Uniform Federal Accessibility Standards?	X		
Is the EEO Program allocated sufficient resources to train all employees on EEO Programs, including administrative and judicial remedial procedures available to employees?	X		
Is there sufficient funding to ensure the prominent posting of written materials in all personnel and EEO offices? [see 29 C.F.R. § 1614.102(b)(5)]	X		
Is there sufficient funding to ensure that all employees have access to this training and information?	X		
Is there sufficient funding to provide all managers and supervisors with training and periodic up-dates on their EEO responsibilities:	X		
for ensuring a workplace that is free from all forms of discrimination, including harassment and retaliation?	X		
to provide religious accommodations?	X		
to provide disability accommodations in accordance with the agency's written procedures?	X		
in the EEO discrimination complaint process?	X		
to participate in ADR?	X		

## Essential Element C – Management and Program Accountability

This element requires the Agency Head to hold all managers, supervisors, and EEO Officials responsible for the effective implementation of the agency's EEO Program and Plan.

**Compliance Indicator: EEO program officials advise and provide appropriate assistance to managers/supervisors about the status of EEO programs within each manager's or supervisor's area or responsibility**

Measures	Measure has been met	Measure has not 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
Are regular (monthly/quarterly/semi-annually) EEO updates provided to management/supervisory officials by EEO program officials?	X		
Do EEO program officials coordinate the development and implementation of EEO Plans with all appropriate agency managers to include Agency Counsel, Human Resource Officials, Finance, and the Chief information Officer?	X		

**Compliance Indicator: The Human Resources Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC management directives. [See 29 CFR § 1614.102(b) (3)]**

Measures	Measure has been met	Measure has not 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
Have time-tables or schedules been established for the agency to review its Merit Promotion Program Policy and Procedures for systemic barriers that may be impeding full participation in promotion opportunities by all groups?	X		
Have time-tables or schedules been established for the agency to review its Employee Recognition Awards Program and Procedures for systemic barriers that may be impeding full participation in the program by all groups?	X		

Measures	Measure has been met	Measure has not 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
Have time-tables or schedules been established for the agency to review its Employee Development/Training Programs for systemic barriers that may be impeding full participation in training opportunities by all groups?	X		

**Compliance Indicator: When findings of discrimination are made, the agency explores whether or not disciplinary actions should be taken.**

Measures	Measure has been met	Measure has not 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
Does the agency have a disciplinary policy and/or a table of penalties that covers employees found to have committed discrimination?	X		
Have all employees, supervisors, and managers been informed as to the penalties for being found to perpetrate discriminatory behavior or for taking personnel actions based upon a prohibited basis?	X		
Has the agency, when appropriate, disciplined or sanctioned managers/supervisors or employees found to have discriminated over the past two years?	X		
If so, cite number found to have discriminated and list penalty /disciplinary action for each type of violation.			
Does the agency promptly (within the established time frame) comply with EEOC, Merit Systems Protection Board, Federal Labor Relations Authority, labor arbitrators, and District Court orders?	X		
Does the agency review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.?	X		There is no central tracking system to ensure that all reasonable accommodation requests are captured; however, the disability employment manager reviews all known decisions/actions.

## Essential Element D – Proactive Prevention

Requires that the agency head makes early efforts to prevent discriminatory actions and eliminate barriers to equal employment opportunity in the workplace

**Compliance Indicator: Analyses to identify and remove unnecessary barriers to employment are conducted throughout the year.**

Measures	Measure has been met	Measure has not 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
Do senior managers meet with and assist the EEO Director and/or other EEO Program Officials in the identification of barriers that may be impeding the realization of equal employment opportunity?	X		
When barriers are identified, do senior managers develop and implement, with the assistance of the agency EEO office, agency EEO Action Plans to eliminate said barriers?	X		
Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans?	X		
Are trend analyses of workforce profiles conducted by race, national origin, sex and disability?	X		
Are trend analyses of the workforce's major occupations conducted by race, national origin, sex and disability?	X		
Are trends analyses of the workforce's grade level distribution conducted by race, national origin, sex and disability?	X		
Are trend analyses of the workforce's compensation and reward system conducted by race, national origin, sex and disability?	X		The NIH has secured a contractor who is currently conducting a multivariate analysis of the agency's compensation and reward system.
Are trend analyses of the effects of management/personnel policies, procedures and practices conducted by race, national origin, sex and disability?	X		

**Compliance Indicator: The use of Alternative Dispute Resolution (ADR) is encouraged by senior management.**

Measures	Measure has been met	Measure has not 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
Are all employees encouraged to use ADR?	X		
Is the participation of supervisors and managers in the ADR process required?	X		

## Essential Element E – Efficiency

Requires that the agency head ensure that there are effective systems in place for evaluating the impact and effectiveness of the agency's EEO Programs as well as an efficient and fair dispute resolution process.

**Compliance Indicator: The agency has sufficient staffing, funding, and authority to achieve the elimination of identified barriers.**

Measures	Measure has been met	Measure has not 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
Does the EEO Office employ personnel with adequate training and experience to conduct the analyses required by MD-715 and these instructions?	X		
Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715 and these instructions?	X		
Have sufficient resources been provided to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination under Title VII and the Rehabilitation Act?	X		
Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations in all major components of the agency?	X		
Are 90% of accommodation requests processed within the time frame set forth in the agency procedures for reasonable accommodation?	X		Currently there is no central tracking system to ensure that all reasonable accommodation requests are captured; however, at least 90% of all known requests are in compliance.

**Compliance Indicator: The agency has an effective complaint tracking and monitoring system in place to increase the effectiveness of the agency's EEO Programs.**

Measures	Measure has been met	Measure has not 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
Does the agency use a complaint tracking and monitoring system that allows identification of the location and status of complaints and length of time elapsed at each stage of the agency's complaint resolution process?	X		
Does the agency's tracking system identify the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends?	X		
Does the agency hold contractors accountable for delay in counseling and investigation processing times?	X		
If yes, briefly describe how: Timelines are specified in contracts and monitored for compliance by the Program Support Center.			
Does the agency monitor and ensure that new investigators, counselors, including contract and collateral duty investigators, receive the 32 hours of training required in accordance with EEO Management Directive MD-110?	X		
Does the agency monitor and ensure that experienced counselors, investigators, including contract and collateral duty investigators, receive the 8 hours of refresher training required on an annual basis in accordance with EEO Management Directive MD-110?	X		

**Compliance Indicator: The agency has sufficient staffing, funding and authority to comply with the time frames in accordance with the EEOC (29 C.F.R. Part 1614)<sup>1</sup> regulations for processing EEO complaints of employment discrimination.**

Measures	Measure has been met	Measure has not 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
Are benchmarks in place that compare the agency's discrimination complaint processes with 29 C.F.R. Part 1614?	X		
Does the agency provide timely EEO counseling within 30 days of the initial request or within an agreed upon extension in writing, up to 60 days?	X		The average timeframe for EEO counseling in FY 2008 was 24 days without an extension and 73 days with an extension. Three cases were processed untimely.
Does the agency provide an aggrieved person with written notification of his/her rights and responsibilities in the EEO process in a timely fashion?	X		
Does the agency complete the investigations within the applicable prescribed time frame?	X		
When a complainant requests a final agency decision, does the agency issue the decision within 60 days of the request?			N/A-Responsibility of DHHS
When a complainant requests a hearing, does the agency immediately upon receipt of the request from the EEOC AJ forward the investigative file to the EEOC Hearing Office?	X		
When a settlement agreement is entered into, does the agency timely complete any obligations provided for in such agreements?	X		
Does the agency ensure timely compliance with EEOC AJ decisions which are not the subject of an appeal by the agency?	X		

<sup>1</sup> See 29 C.F.R. § 1614.102.2. When an agency makes modifications to its procedures, the procedures must be resubmitted to the Commission. See *EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation* (10/20/00), Question 28.

**Compliance Indicator: There is an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of the agency's EEO complaint processing program.**

Measures	Measure has been met	Measure has not 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
In accordance with 29 C.F.R. §1614.102(b), has the agency established an ADR Program during the pre-complaint and formal complaint stages of the EEO process?	X		
Does the agency require all managers and supervisors to receive ADR training in accordance with EEOC (29 C.F.R. Part 1614) regulations, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR?	X		
After the agency has offered ADR and the complainant has elected to participate in ADR, are the managers required to participate?	X		
Does the responsible management official directly involved in the dispute have settlement authority?		X	The Executive Officer is the settlement official.

**Compliance Indicator: The agency has effective systems in place for maintaining and evaluating the impact and effectiveness of its EEO programs.**

Measures	Measure has been met	Measure has not 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
Does the agency have a system of management controls in place to ensure the timely, accurate, complete and consistent reporting of EEO complaint data to the EEOC?	X		
Does the agency provide reasonable resources for the EEO complaint process to ensure efficient and successful operation in accordance with 29 C.F.R. § 1614.102(a) (1)?	X		
Does the agency EEO office have management controls in place to monitor and ensure that the data received from Human Resources is accurate, timely received, and contains all the required data elements for submitting annual reports to the EEOC?		X	The Director of OEODM and the OHRM will host a conference in fiscal year 2009 to address this issue.
Do the agency's EEO programs address all of the laws enforced by the EEOC?	X		
Does the agency identify and monitor significant trends in complaint processing to determine whether the agency is meeting its obligations under Title VII and the Rehabilitation Act?	X		
Does the agency track recruitment efforts and analyze efforts to identify potential barriers in accordance with MD-715 standards?	X		Recruitment efforts are tracked manually by the Special Emphasis Program Managers
Does the agency consult with other agencies of similar size on the effectiveness of their EEO programs to identify best practices and share ideas?	X		

**Compliance Indicator: The agency ensures that the investigation and adjudication function of its complaint resolution process are separate from its legal defense arm of agency or other offices with conflicting or competing interests.**

Measures	Measure has been met	Measure has not 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
Are legal sufficiency reviews of EEO matters handled by a functional unit that is separate and apart from the unit which handles agency representation in EEO complaints?	X		
Does the agency discrimination complaint process ensure a neutral adjudication function?	X		
If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints?			N/A-Responsibility of DHHS

## Essential Element F – Responsiveness and Legal Compliance

This element requires that federal agencies are in full compliance with EEO statutes and EEOC regulations, policy guidance, and other written instructions.

**Compliance Indicator: Agency personnel are accountable for timely compliance with orders issued by EEOC Administrative Judges.**

Measures	Measure has been met	Measure has not 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
Does the agency have a system of management control to ensure that agency officials timely comply with any orders or directives issued by EEOC Administrative Judges?	X		

**Compliance Indicator: The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion.**

Measures	Measure has been met	Measure has not 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
Does the agency have control over the payroll processing function of the agency? If Yes, answer the two questions below.			N/A-Responsibility of DHHS
Are there steps in place to guarantee responsive, timely, and predictable processing of ordered monetary relief?			N/A
Are procedures in place to promptly process other forms of ordered relief?			N/A

**Compliance Indicator: Agency personnel are accountable for the timely completion of actions required to comply with orders of EEOC.**

Measures	Measure has been met	Measure has not 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
Is compliance with EEOC orders encompassed in the performance standards of any agency employees?	X		EEO Critical Element for Executives at Division level or above under SES, SBRS, and Title 42. Also includes other professional supervisors (General Schedule Supervisors and Managers (Code 2) supervisors below Division level.
If so, please identify the employees by title in the comments section, and state how performance is measured.			
Is the unit charged with the responsibility for compliance with EEOC orders located in the EEO office?	X		
If not, please identify the unit in which it is located, the number of employees in the unit, and their grade levels in the comments section.			
Have the involved employees received any formal training in EEO compliance?	X		
Does the agency promptly provide to the EEOC the following documentation for completing compliance:			
Attorney Fees: Copy of check issued for attorney fees and /or a narrative statement by an appropriate agency official, or agency payment order dating the dollar amount of attorney fees paid?	X		
Awards: A narrative statement by an appropriate agency official stating the dollar amount and the criteria used to calculate the award?	X		
Back Pay and Interest: Computer print-outs or payroll documents outlining gross back pay and interest, copy of any checks issued, narrative statement by an appropriate agency official of total monies paid?	X		
Compensatory Damages: The final agency decision and evidence of payment, if made?	X		

Measures	Measure has been met	Measure has not 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
Training: Attendance roster at training session(s) or a narrative statement by an appropriate agency official confirming that specific persons or groups of persons attended training on a date certain?	X		
Personnel Actions (e.g., Reinstatement, Promotion, Hiring, Reassignment): Copies of SF-50s	X		
Posting of Notice of Violation: Original signed and dated notice reflecting the dates that the notice was posted. A copy of the notice will suffice if the original is not available.	X		
Supplemental Investigation: 1. Copy of letter to complainant acknowledging receipt from EEOC of remanded case. 2. Copy of letter to complainant transmitting the Report of Investigation (not the ROI itself unless specified). 3. Copy of request for a hearing (complainant's request or agency's transmittal letter).	X		
Final Agency Decision (FAD): FAD or copy of the complainant's request for a hearing.	X		
Restoration of Leave: Print-out or statement identifying the amount of leave restored, if applicable. If not, an explanation or statement.	X		
Civil Actions: A complete copy of the civil action complaint demonstrating same issues raised as in compliance matter.	X		
Settlement Agreements: Signed and dated agreement with specific dollar amounts, if applicable. Also, appropriate documentation of relief is provided.	X		

## EEOC Form 715-01 Part H

*U.S. Equal Employment Opportunity Commission*

### Federal Agency Annual EEO Program Status Report

### EEO Plan to Attain the Essential Elements of a Model EEO Program

#### FY 2008 – National Institutes of Health

**Table – Part H-1A**

<b>Statement of Model Program Essential Element Deficiency:</b>	A trend analysis of the NIH workforce compensation and reward system has not been conducted by race, national origin, sex and disability.
<b>Objective:</b>	Conduct a trend analysis of the workforce's compensation and reward system by race, national origin, sex and disability.
<b>Responsible Official:</b>	Director, OEODM and Director OHRM
<b>Date Objective Initiated:</b>	December 2007
<b>Target Date for Completion of Objective:</b>	Original date: September 30, 2008 <b>Revised date: June 2009</b>

**Table – Part H-1B**

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
1. Secure a statistician to conduct the analysis. <b>Completed: Contractor started in September 2008</b>	March 2008
2. Complete the analysis	Original Date: May 2008 <b>Revised Date: May 2009</b>
3. Present the findings of the analysis to the NIH leadership.	Original Date: June 2008 <b>Revised Date: June 2009</b>
4. Make any changes warranted based on the results of the analysis.	Original Date: August 2008 <b>Revised Date: Beginning June 2009</b>
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>A contract was awarded in September 2008 to conduct an analysis of compensation and awards at the NIH. It is anticipated that a full analysis will be completed by June 2009.</p>	

**Table – Part H-2A**

<b>Statement of Model Program Essential Element Deficiency:</b>	The lack of an operational applicant tracking system prevents an assessment to be made to determine if NIH vacancy announcements attract a diverse pool of qualified applicants and whether corrective actions are needed to sharpen the outreach and targeted recruitment process.
<b>Objective:</b>	Utilize HHS Careers to gather and assess optional race/ethnicity and disability status data for applicants, and develop a process for collecting optional race/ethnicity and gender data from tenure and tenure track applicants.
<b>Responsible Official:</b>	Director, Human Resources; Director of OEODM; Assistant Director, Office of Intramural Research
<b>Date Objective Initiated:</b>	Revised objective initiated in September 2008
<b>Target Date for Completion of Objective:</b>	Original Date: September 2006 <b>Revised Date: September 2009</b>

**Table – Part H-2B**

<b>Planned Activities Toward Completion of Objective:</b>	<b>Target Date (Must Be Specific)</b>
Secure quarterly reports of the optional race, ethnicity and disability status data for all applicants applying to vacancies via HHS careers.	December 2008 forward
Develop a mechanism to allow applicants for tenured and tenure track vacancies to submit optional race/ethnicity and disability data	September 2009
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>HHS Careers previously known as Quick Hire captures applicant flow data. The OEODM and OHR are working together to develop reports which delineate the optional race, ethnicity and disability status data for each vacancy advertised via HHS Careers. Preliminary data has been gathered and the reports are being refined. Any job advertised outside of HHS careers (ex. USA jobs, tenure and tenure track vacancies) will not be captured via this process. The OEODM will also work with the Office of Intramural Research to develop a mechanism for collecting optional race and ethnicity and disability status data.</p>	

**Table – Part H-3A**

<b>Statement of Model Program Essential Element Deficiency:</b>	OPM and OMB have modified RNO designations to be used for Affirmative Employment Program reporting. Consequently, the need exists to resurvey the workforce to improve the quality of the RNO designations, including disability status information, that are maintained on employees.
<b>Objective:</b>	Resurvey employees to improve the quality of Affirmative Employment Program data.
<b>Responsible Official:</b>	Director, OEODM and Director Office of Human Resources
<b>Date Objective Initiated:</b>	March 2006
<b>Target Date for Completion of Objective:</b>	Original Date: September 2006 <b>Revised Date: May 2009</b>

**Table – Part H-3B**

<b>Planned Activities Toward Completion of Objective:</b>	<b>Target Date (Must Be Specific)</b>
Request guidance from DHHS to initiate the process to resurvey NIH employees. <b>Status: Completed in FY 2006</b>	March 2006
Develop procedures and forms to implement an on-line applicant tracking system. <b>Status: Completed in FY 2007</b>	June 2006
Convene a trans-NIH workgroup to assist in the implementation of the resurvey of NIH employees, as necessary. <b>Status: Completed</b>	September 2008
Complete the workforce resurvey	March 2009
<p><b>*Report Of Accomplishments And Modifications To Objective</b>  <b>A team from the OEODM and OHR are working together to finalize the process for resurveying the workforce..</b></p>	

# EEOC Form 715-01 Part I

*U.S. Equal Employment Opportunity Commission*

## Federal Agency Annual EEO Program Status Report

### EEO Plan To Eliminate Identified Barrier

**FY 2008 – DHHS, National Institutes of Health**

**Table – Part I-1A**

<p><b>Statement of Condition that Was a Trigger for a Potential Barrier:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>There is a low participation rate of Black tenured and tenure track scientists in the NIH workforce.</p> <p>This condition was recognized after examining the participation rate of Black tenured and tenure track scientists in the NIH workforce. The participation rate of Black tenured and tenure track scientists in the NIH workforce was also compared to the participation rate of Black tenured and tenure track scientists with science and engineering doctorate degrees in U.S. universities.</p>
<p><b>Barrier Analysis:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>The NIH Office of Intramural Research data was analyzed by comparing the participation rates of racial and ethnic groups in tenured and tenure track positions. This demonstrated initial cause for concern. Further, when the participation rate of Black tenured and tenure track scientists was compared to those in U.S. universities, this demonstrated that the percentage of Black tenured and tenure track scientists was more than two times lower in the NIH workforce.</p> <p>A review of the outreach contacts indicates a need to develop relationships with more Black professional scientific organizations and associations; that is, organizations comprised of experienced scientists likely to have the requisite experience for tenured and tenure track positions.</p> <p>A sample of the advertising venues for tenured and tenure track positions was also conducted.</p> <p>The NIH has funded over 1,200 doctorate level health professionals via the National Center on Minority Health and Health Disparities loan repayment program. Approximately 70% of these loan repayment recipients are racial and ethnic minorities or are from other health disparity communities. Hence, there is a pool of minority scientists.</p>

<p><b>Statement of Identified Barrier:</b> Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>Limited contacts with Black professional scientific organizations and associations comprised of experienced scientists.</p> <p>Limited advertisements for tenured and tenure track positions with Black professional scientific organizations and associations.</p> <p>The NIH funds a number of programs to increase the pipeline of Black and other minority scientists including the National Center on Minority Health and Health Disparities Loan Repayment Program; however, NIH has not fully tapped into these sources when seeking to fill tenured and tenure track vacancies.</p> <p><b>Note:</b> The absence of an applicant tracking system limits the NIH's ability to determine whether Black candidates are applying for tenured and tenure track positions.</p>
<p><b>Objective:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p>	<p>Develop relationships with Black professional scientific organizations and associations comprised of experienced scientists.</p> <p>Advertise vacancy announcements for tenured and tenure track positions with Black professional scientific organizations and associations comprised of experienced scientists.</p> <p>Reach out to doctorate level minority scientists who are recipients of NIH pipeline programs.</p>
<p><b>Responsible Official:</b></p>	<p>Assistant Director, Division of Intramural Research; Black Employment Program Manager; IC Scientific Directors, IC Directors; Director, OHR; and Director, OEODM</p>
<p><b>Date Objective Initiated:</b></p>	<p>The original objective was initiated on November 9, 2004; however, modifications were made in FY 2007 and FY 2008.</p>
<p><b>Target Date for Completion of Objective:</b></p>	<p>The process to complete this objective is ongoing. Based on the current modification of the objective, quantifiable progress (i.e. relationships developed, positions advertised, and outreach to pipeline graduates) is expected by June 30, 2009.</p>

**Table – Part I-1B**

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
<p>The Assistant Director, Office of Intramural Research and the Black Employment Program Manager will establish relationships with organizations and associations comprised of scientists with the requisite skills to fill tenured and tenure track vacancies.</p> <p><b>Status: Ongoing</b></p>	<p>June 2008</p>
<p>The NIH will advertise tenured and tenure track positions with Black professional scientific organizations and associations comprised of experienced scientists.</p> <p><b>Status: Ongoing</b></p>	<p>June 2008</p>

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
<p>The Black Employment Program Manager and EEO Specialists will continue to work with search committees to identify Black candidates for tenured and tenure track vacancies.</p> <p><b>Status: Ongoing</b></p>	June 2007
<p>The Assistant Director, Office of Intramural Research will compile an exhaustive list of websites and key contacts for reaching Black and other underrepresented minority scientists. These sources will be used to inform a diverse pool of candidates about NIH vacancies.</p>	September 2009
<p>The Assistant Director, Office of Intramural Research will contact the Program Directors for the National Institutes of General Medical Sciences Minority Opportunities in Research Programs (e.g. MBRS) to determine whether they have alumni who have the requisite skills to compete for tenured and tenure track vacancies.</p>	September 2009
<p>The Office of Intramural Research and the National Center on Minority Health and Health Disparities will establish a postdoctoral intramural training program to recruit minority recipients of the National Center on Minority Health and Health Disparities loan repayment program. This will further increase the pool of Black and other minority scientists prepared for tenured and tenure track positions.</p>	September 2011
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>The NIH hired one Black tenured scientist in March 2008. However, the percentage of Black tenured scientists did not increase due to the loss of one Black tenured scientist.</p> <p>The NIH appointed a tenured scientist to serve as the Assistant Director for the Office of Intramural Research in March 2008. This individual is responsible for coordinating scientific recruitment efforts and expanding the network of contacts within minority scientific communities.</p> <p>The Assistant Director, Office of Intramural Research sent monthly e-mails and/or postings of NIH intramural tenured and tenure track vacancies to four organizations (Leadership Alliance, Meyerhoff Program, Directors and Principal Investigators for the National Center for Research Resources' Research Centers in Minority Institutions Program, NIH Black Scientists) with access to a cadre of experienced Black scientists.</p> <p>The Office of Intramural Research and search committee members also directly notified minority scientists about tenured and tenure track vacancies.</p> <p>The Black Employment Program Manager established relationships with faculty at various universities to aid in the dissemination of NIH tenured and tenure track vacancies to potential Black applicants.</p> <p>Search committees were provided with a listing of minority journals and organizations for placing paid vacancy advertisements.</p> <p>A representative from OEODM, a minority scientist and a woman scientist served on search committees.</p> <p>The NIH funded several programs to increase the pipeline of minority scientists (ex. NIH Undergraduate Scholarship Program, NIH Academy, Minority Access to Research Careers).</p>	

**Table – Part I-2A**

<p><b>Statement of Condition that Was a Trigger for a Potential Barrier:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>There is a low participation rate of American Indian/Alaska Native tenure track scientists in the NIH workforce.</p> <p>This condition was recognized after examining the participation rate of American Indian/Alaska Native tenure track scientists in the NIH workforce. The participation rate of American Indian/Alaska tenure track scientists in the NIH workforce was also compared to the participation rate of American Indian/Alaska Native tenure track scientists with science and engineering doctorate degrees in U.S. universities.</p>
<p><b>Barrier Analysis:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>The NIH Office of Intramural Research data was analyzed by comparing the participation rates of racial and ethnic groups in tenure track positions. This demonstrated initial cause for concern. Further, the participation rate of American Indian/Alaska Native tenure track scientists in the NIH workforce is lower than their respective rates in U.S. universities.</p> <p>It is noted that there are limited numbers of tenure track American Indian/Alaska Native science and engineering doctorate degree holders in U.S. universities; however, there are no American Indian/Alaska Native tenure track scientists in the NIH workforce. There are a total of 247 tenure track scientists at NIH.</p> <p>The NIH has funded over 1,200 doctorate level health professionals via the National Center on Minority Health and Health Disparities loan repayment program. Approximately 70% of these loan repayment recipients are racial and ethnic minorities or are from other health disparity communities. Hence, there is a pool of minority scientists.</p>
<p><b>Statement of Identified Barrier:</b></p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>Active partnerships with American Indian/Alaska Native scientific organizations and associations which contain professional scientists or whose mission is to train future American Indian/Alaska Native biomedical researchers.</p> <p>Limited advertisements for tenure track positions with American Indian/Alaska Native professional scientific organizations and associations.</p> <p>The NIH funds a number of programs to increase the pipeline of American Indian/Alaska Native and other minority scientists including the National Center on Minority Health and Health Disparities Loan Repayment Program; however, NIH has not fully tapped into these sources when seeking to fill tenure track vacancies.</p> <p><b>Note:</b></p> <p>The absence of an applicant tracking system limits the NIH's ability to determine whether American Indian/Alaska Native candidates are applying for tenure track positions.</p>

<b>Objective:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.	<p>Develop partnerships with American Indian/Alaska Native scientific organizations and associations (e.g. Society for the Advancement of Chicanos and Native Americans in Science) comprised of experienced scientists and those which support the training of future American Indian/Alaska Native biomedical researchers.</p> <p>Advertise tenure track vacancies with American Indian/Alaska Native scientific organizations and associations comprised of experienced scientists and those which support the training of future American Indian/Alaska Native biomedical researchers.</p> <p>Reach out to doctorate level minority scientists who are recipients of NIH pipeline programs.</p>
<b>Responsible Official:</b>	Minority Serving Institutions Program Manager; Deputy Director, Division of Intramural Research; IC Scientific Directors; IC Directors; Director, OHR; and Director OEODM
<b>Date Objective Initiated:</b>	This objective was initiated in September 2007 and revised in November 2008.
<b>Target Date for Completion of Objective:</b>	The process to complete this objective will be ongoing. Active partnerships with organizations are anticipated by March 2008.

**Table – Part I-2B**

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
Contact American Indian/Alaska Native organizations to develop plans for establishing active partnerships. <b>Status: Ongoing.</b>	January 2008
The NIH will advertise tenure track positions with American Indian/Alaska Native organizations and associations comprised of experienced scientists and those which support the training of future American Indian/Alaska Native biomedical researchers. <b>Status: Ongoing.</b>	September 2007
The Assistant Director, Office of Intramural Research will compile an exhaustive list of websites and key contacts for reaching American Indian/Alaska Native and other underrepresented minority scientists. These sources will be used to inform a diverse pool of candidates about NIH vacancies.	September 2009
The Assistant Director, Office of Intramural Research will contact the Program Directors for the National Institutes of General Medical Sciences Minority Opportunities in Research Programs (e.g. Minority Biomedical Research Support) to determine whether they have alumni who have the requisite skills to compete tenure track vacancies.	September 2009
The Office of Intramural Research and the National Center on Minority Health and Health Disparities will establish a postdoctoral intramural training program to recruit minority recipients of the National Center on Minority Health and Health Disparities loan repayment program. This will further increase the pool of American Indian/Alaska Native and other minority scientists prepared for tenure track positions.	September 2011

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>The OEODM has contacted several organizations which have a cadre of American Indian/Alaskan Native scientists or support the training of such scientists. OEODM specifically sent tenured and tenure track vacancy announcements to the following American Indian/Alaska Native organizations: Association of American Indian Physicians, Native American Research Centers for Health Grants, American Indian Science and Engineering Society, Society for the Advancement of Chicanos and Native Americans in Science, and National Alaska Native American Indian Nurses Association.</p> <p>The Associate Director, Office of Intramural Research sends monthly tenured and tenure track vacancy announcements to the Harvard University Native American Program.</p> <p>The NIH appointed a tenured scientist to serve as the Assistant Director for the Office of Intramural Research in March 2008. This individual is responsible for coordinating scientific recruitment efforts and expanding the network of contacts within minority scientific communities.</p> <p>Search committees were provided with a listing of minority journals and organizations for placing paid vacancy advertisements. A representative from OEODM, a minority scientist and a woman scientist served on search committees.</p> <p>The NIH funded several programs to increase the pipeline of minority scientists (ex. NIH Undergraduate Scholarship Program, NIH Academy, Minority Access to Research Careers).</p> <p>This objective was modified to focus only on tenure track vacancies because the pool of tenured AI/AN scientists in U.S. universities is very small and there is a difference of less than one percent between participation rates of AI/AN tenured scientists in U.S. universities and the NIH workforce.</p>	

**Table – Part I-3A**

<p><b>Statement of Condition that Was a Trigger for a Potential Barrier:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>There is a low participation rate of Hispanic employees in the NIH workforce.</p> <p>This condition was recognized after examining the participation rate of Hispanic employees in the NIH workforce. The participation rate of Hispanics in the NIH workforce was also compared to the participation rate of Hispanics in the civilian labor force.</p>
<p><b>Barrier Analysis:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>Govnet data was analyzed by comparing the participation rates of all racial and ethnic groups in the NIH workforce. This demonstrated initial cause for concern. Further, the participation rate of Hispanics in the NIH workforce was compared to Hispanics in the civilian labor force. This revealed that the percentage of Hispanic males in the civilian labor force is more than four times greater than in the NIH workforce, and the percentage of Hispanic females in the civilian labor force is more than two times higher than in the NIH workforce.</p> <p>Additionally, the percentage of Hispanic employee hires and separations was examined and compared to the percentage of Hispanics in the NIH workforce.</p>

<p><b>Statement of Identified Barrier:</b> Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>Limited numbers of Hispanics are hired. In fiscal year 2008 less than 3% of all new hires were Hispanic. Additionally, Hispanics leave the NIH at rates comparable to their total percentage in the workforce. Hispanics reportedly perceive limited career advancement opportunities in the NIH workforce.</p>
<p><b>Objective:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p>	<p>Direct targeted outreach and recruitment efforts to the Hispanic population for all NIH vacancies. Provide mentoring on career development for Hispanic employees.</p>
<p><b>Responsible Official:</b></p>	<p>Hispanic Employment Program Manager, and Director, Office of Human Resource Management</p>
<p><b>Date Objective Initiated:</b></p>	<p>This objective was initiated in September 2007 and amended in November 2009.</p>
<p><b>Target Date for Completion of Objective:</b></p>	<p>The process to complete this objective will be ongoing. Initial progress is anticipated by September 2008.</p>

**Table – Part I-3B**

<p><b>Planned Activities Toward Completion of Objective:</b></p>	<p><b>Target Date (Must Be Specific)</b></p>
<p>The Special Emphasis Program Manager for the Hispanic Employment Program will network with the Hispanic community to educate the population about the types of jobs available NIH. Additionally, the Hispanic Employment Program Manager will inform the Hispanic community of NIH vacancies as they occur. <b>Status: Ongoing.</b></p>	<p>September 2007</p>
<p>The NIH will advertise vacancies in the Hispanic community. <b>Status: Ongoing.</b></p>	<p>September 2007</p>
<p>The Hispanic Employment Program Manager will build new relationships and strengthen existing relationships with Hispanic organizations which can serve as referral and advertising sources for NIH vacancies. <b>Status: Ongoing.</b></p>	<p>September 2007</p>
<p>The Hispanic Employment Committee will facilitate mentor/mentee relationships for Hispanic employees who desire mentoring on career development. <b>Status: Ongoing.</b></p>	<p>January 2009</p>

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>The NIH hired 50 new Hispanic employees in fiscal year 2008.</p> <p>In fiscal year 2008, outreach teams comprised of OEODM staff, intramural and extramural scientists visited Hispanic Serving Institutions and partnered with Hispanic associations and organizations to inform the Hispanic community about opportunities at the NIH. Outreach was conducted at the following venues which reach a large Hispanic population:</p> <ul style="list-style-type: none"> <li>• University of New Mexico School of Medicine-Over 300 students and faculty members were educated about employment and training opportunities; Strategies for completing successful employment and training applications were shared; A relationship was established with the Mexican Student Organization; and A faculty member was identified to disseminate information on NIH employment and training opportunities.</li> <li>• University of Puerto Rico Medical Sciences Campus-Over 200 students and faculty were educated about employment and training opportunities; Strategies for completing successful employment and training applications were shared; Several faculty members were referred for NIH vacancies; As a result of the visit one faculty member applied for a Health Scientist Administrator position; and Several faculty members agreed to disseminate future NIH employment and training opportunities.</li> </ul> <p>The OEODM sponsored three Hispanic/Latina students to attend the National Association of Hispanic Nurses Conference. These students were interning at the NIH and the OEODM covered the travel expenses for both the students and their mentors so they could present at the conference.</p> <p>The NIH Office of Communications and Public Liaison sponsors Spanish radio broadcasts. These broadcasts contain health information and occasional research career opportunity information. Some of the NIH IC websites are also available in Spanish.</p> <p>Several NIH ICs participated in the following conferences which target Hispanics in the sciences:</p> <ul style="list-style-type: none"> <li>• Society for the Advancement of Chicanos and Native Americans</li> <li>• National Hispanic Medical Association</li> <li>• National Association of Hispanic Nurses</li> <li>• Hispanic Association of Colleges and Universities</li> <li>• Annual Biomedical Research Conference for Minority Students</li> </ul> <p><b>The Hispanic Employment Program Manager developed a database of Hispanic organizations and individuals. This database is used to disseminate NIH job announcements.</b></p>	

**Table – Part I-4A**

<p><b>Statement of Condition that Was a Trigger for a Potential Barrier:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>There is a low participation rate of persons with disabilities in the NIH workforce.</p> <p>This condition was recognized after examining the participation rate of individuals with disabilities in the NIH workforce.</p>
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<p><b>Barrier Analysis:</b> Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>Govnet data was analyzed by comparing the participation rate of individuals with disabilities in the NIH workforce with those who do not have a disability and those who do not designate whether or not they have a disability. This demonstrated the initial cause for concern. Further, when the participation rate of individuals with disabilities in the NIH workforce is compared to the federal benchmark, the percentage of individuals with disabilities in the NIH workforce is lower.</p>
<p><b>Statement of Identified Barrier:</b> Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>Limited utilization of special hiring authorities for hiring qualified individuals with disabilities.  Limited targeted outreach and recruitment to qualified individuals with disabilities.</p>
<p><b>Objective:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p>	<p>Target outreach and recruitment for NIH vacancies to qualified individuals with disabilities.  Educate managers, supervisors and selecting officials about usage of the special hiring authorities for qualified individuals with disabilities.</p>
<p><b>Responsible Official:</b></p>	<p>Disability Employment Program Manager and Director, Office of Human Resource Management</p>
<p><b>Date Objective Initiated:</b></p>	<p>The initial objective was initiated in January 2005 and revised in December 2007.</p>
<p><b>Target Date for Completion of Objective:</b></p>	<p>This objective is ongoing; however, initial progress toward the objectives was achieved in fiscal year 2007.</p>

**Table – Part I-4B**

<p><b>Planned Activities Toward Completion of Objective:</b></p>	<p><b>Target Date (Must Be Specific)</b></p>
<p>Continue providing in-service trainings and briefings for managers and supervisors on usage of special hiring authorities. <b>Status: Ongoing</b></p>	<p>September 2008</p>
<p>Continue utilizing the Workforce Recruitment Program as a vehicle for employing individuals with disabilities. <b>Status: Ongoing</b></p>	<p>August 2008</p>
<p>Continue conducting briefings on the Affirmative Action Plan for Employment of individuals with Disabilities. <b>Status: Ongoing.</b></p>	<p>September 2008</p>
<p>Continue conducting manager and supervisor training on reasonable accommodations. <b>Status: Ongoing.</b></p>	<p>September 2008</p>

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>The NIH hired a total of 96 new individuals with disabilities in fiscal year 2008; 12 of these individuals have targeted disabilities.</p> <p>The NIH hired 12 students from the Workforce Recruitment Program for students with disabilities. The NIH also hired 6 veterans with disabilities.</p> <p>The Disability Program Manager provided training sessions on the following topics in fiscal year 2008:</p> <ul style="list-style-type: none"> <li>• Special Hiring Authorities for qualified individuals with disabilities – attended by selecting officials</li> <li>• Reasonable Accommodations – over 250 managers and supervisors attended</li> <li>• Etiquette for working with individuals with disabilities and their service animals – 35 supervisors and line employees attended</li> <li>• Workforce assessments and strategies for increasing the representation of individuals with disabilities</li> </ul> <p><b>The Disability Program Manager attended the HHS Career Fair for Individuals with Disabilities and as a result NIH hired one individual.</b></p>	

**Table – Part I-5A**

<p><b>Statement of Condition that Was a Trigger for a Potential Barrier:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>The low participation rate of Asian/Pacific Islanders in lab branch chief occupations.</p> <p>Asian/Pacific Islander scientists expressed concerns about the low number of Asian/Pacific Islanders employed in lab and branch chief positions. This condition was recognized after requesting a list of all intramural lab and branch chiefs from each of the NIH ICs.</p>
<p><b>Barrier Analysis:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>The list of lab and branch chiefs was researched in the data warehouse and Office of Intramural Research database to determine the race and national origin of each individual occupying these positions. This data revealed that approximately 6.6% of NIH lab and branch chiefs are Asian/Pacific Islander. Over 90% of the lab and branch chiefs at NIH are tenured investigators and approximately 12.3% of the tenured investigators at NIH are Asian/PI while 11.1% of the tenured scientists in U.S. universities are Asian/Pacific Islander. The percentage of tenured scientists for all other racial/ethnic groups in the NIH workforce closely approximates their percentages in intramural lab and branch chief positions.</p>
<p><b>Statement of Identified Barrier:</b></p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>Limited numbers of Asian/Pacific Islanders are hired into intramural lab and branch chief positions.</p> <p>Asian/PI scientists reportedly perceive limited opportunities for management positions.</p> <p><b>Note:</b></p> <p>The absence of an applicant tracking system limits the NIH's ability to determine whether Asian/Pacific Islander candidates are applying for lab and branch positions.</p>

<b>Objective:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.	The NIH leadership will make a concerted effort to identify qualified Asian/Pacific Islander internal and external candidates for lab and branch chief vacancies.
<b>Responsible Official:</b>	Asian/Pacific Islander Program Manager; Associate Director, Division of Intramural Research; IC Scientific Directors; IC Directors; Director, Office of Human Resource Management; and Director, OEODM
<b>Date Objective Initiated:</b>	November 17, 2008
<b>Target Date for Completion of Objective:</b>	The process to complete this objective will be ongoing as vacancies become available.

**Table – Part I-5B**

<b>Planned Activities Toward Completion of Objective:</b>	<b>Target Date (Must Be Specific)</b>
The Search Committee, EEO Specialist, Asian/Pacific Islander Program Manager and Associate Director for Intramural Research will work with the Asian & Pacific Islander American Organization and other external organizations to identify potential applicants for lab and branch positions as they become available.	As positions become available
<b>*Report Of Accomplishments And Modifications To Objective</b>	

**Note:**

The following objectives established in Fiscal Year 2007 were met or eliminated based recent analyses of the workforce.

**Table – Part I-6A**

<b>Statement of Condition that Was a Trigger for a Potential Barrier:</b> Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	Asian/Pacific Islander employees receive time-off awards at lower rates than their representation in the workforce.  This condition was recognized after examining the participation rate of Asian/Pacific Islander employees in the NIH workforce and the percentage of monetary and time-off awards received by Asian/pacific Islanders in the NIH workforce.
<b>Barrier Analysis:</b> Provide a description of the steps taken and data analyzed to determine cause of the condition.	Govnet data for the NIH was analyzed by comparing the participation rate of Asian/Pacific Islander employees in the workforce to the percentage of total awards received by Asian/Pacific Islander employees in the NIH workforce.  Analysis of this data indicates a disparity.

<b>Statement of Identified Barrier:</b> Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	Inequities in the distribution of time-off awards.
<b>Objective:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.	Monitor the distribution of awards to ensure that Asian/Pacific Islander employees receive awards when warranted.
<b>Responsible Official:</b>	OEODM EEO Specialists, IC Managers and Supervisors, and IC Executive Officers
<b>Date Objective Initiated:</b>	The initial objective began in October 2006; however, it was modified in September 2007
<b>Target Date for Completion of Objective:</b>	The process to complete this objective will be ongoing throughout fiscal year 2008.

**Table – Part I-6B**

<b>Planned Activities Toward Completion of Objective:</b>	<b>Target Date (Must Be Specific)</b>
The OEODM EEO Specialists will review the distribution of monetary and time-off awards given to employees by RNO within the ICs they serve. Reviews will be conducted quarterly and the results provided to the IC Executive Officers and the Asian/Pacific Islander Program Manager. <b>Status: Met</b>	Quarterly
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>Further analysis revealed that employees at NIH are primarily given monetary awards unless they choose to receive time-off awards. Given that trends in cash awards revealed no cause for concern, it is determined that no barrier exists in the distribution of time-off awards.</p>	

**Table – Part I-7A**

<b>Statement of Condition that Was a Trigger for a Potential Barrier:</b> Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	American Indian/Alaska Native employees receive time-off awards at lower rates than their representation in the workforce.  This condition was recognized after examining the participation rate of American Indian/Alaska Native employees in the NIH workforce and the percentage of cash and time-off awards received by American Indian/Alaska Natives in the NIH workforce.
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<b>Barrier Analysis:</b> Provide a description of the steps taken and data analyzed to determine cause of the condition.	Govnet data for the NIH was analyzed by comparing the participation rate of American Indian/Alaska Native employees in the workforce to the percentage of total awards received by American Indian/Alaska Native employees in the NIH workforce.  Analysis of this data indicates a disparity.
<b>Statement of Identified Barrier:</b> Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	Inequities in the distribution of time-off awards.
<b>Objective:</b> State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.	Monitor the distribution of awards to ensure that American Indian/Alaska Native employees receive awards when warranted.
<b>Responsible Official:</b>	OEODM EEO Specialists, IC Managers and Supervisors, and IC Executive Officers
<b>Date Objective Initiated:</b>	The initial objective began in October 2006; however, it was modified in September 2007
<b>Target Date for Completion of Objective:</b>	The process to complete this objective will be ongoing throughout fiscal year 2008.

**Table – Part I-7B**

<b>Planned Activities Toward Completion of Objective:</b>	<b>Target Date (Must Be Specific)</b>
The OEODM EEO Specialists will review the distribution of monetary and time-off awards given to employees by RNO within the ICs they serve. Reviews will be conducted quarterly and the results provided to the IC Executive Officers and the American Indian/Alaska Native Program Manager.  <b>Status: Met</b>	Quarterly
<b>*Report Of Accomplishments And Modifications To Objective</b>  Further analysis revealed that employees at NIH are primarily given monetary awards unless they choose to receive time-off awards. Given that trends in cash awards revealed no cause for concern, it is determined that no barrier exists in the distribution of time-off awards.	

**Table – Part I-8A**

<p><b>Statement of Condition that Was a Trigger for a Potential Barrier:</b></p> <p>Provide a brief narrative describing the condition at issue.</p> <p>How was the condition recognized as a potential barrier?</p>	<p>Asian/Pacific Islanders are absent from the Scientific Director workforce at NIH.</p> <p>This condition was recognized after examining the participation rate of Asian/Pacific Islanders in Scientific Director positions at the NIH.</p>
<p><b>Barrier Analysis:</b></p> <p>Provide a description of the steps taken and data analyzed to determine cause of the condition.</p>	<p>The NIH Office of Management listing of Scientific Directors was researched in the data warehouse to determine the race and national origin of each of the individuals occupying these positions. This data revealed that no Asian/Pacific Islanders occupied any of these positions although 11% of the tenured scientists at NIH are Asian/Pacific Islander. Further, 11% of tenured scientists in U.S. universities are Asian/Pacific Islander.</p>
<p><b>Statement of Identified Barrier:</b></p> <p>Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.</p>	<p>Asian/Pacific Islanders have not been hired for Scientific Director positions.</p> <p>The absence of an applicant tracking system limits the NIH's ability to determine whether Asian/Pacific Islander candidates are applying for scientific director positions.</p>
<p><b>Objective:</b></p> <p>State the alternative or revised agency policy, procedure or practice to be implemented to correct the undesired condition.</p>	<p>The NIH leadership will make a concerted effort to identify qualified Asian/Pacific Islander internal and external candidates for future scientific director vacancies.</p>
<p><b>Responsible Official:</b></p>	<p>Asian/Pacific Islander Program Manager, Deputy Director, Division of Intramural Research, IC Scientific Directors, IC Directors and Director, Office of Human Resource Management</p>
<p><b>Date Objective Initiated:</b></p>	<p>December 18, 2008</p>
<p><b>Target Date for Completion of Objective:</b></p>	<p>The process to complete this objective will be ongoing as vacancies become available.</p>

**Table – Part I-8B**

Planned Activities Toward Completion of Objective:	Target Date (Must Be Specific)
<p>The Search Committee, EEO Specialist and Asian/Pacific Islander Program Manager will work with the Asian &amp; Pacific Islander American Organization to identify potential applicants for scientific director positions as they become available.</p> <p><b>Status: Met</b></p>	<p>As positions become available</p>
<p><b>*Report Of Accomplishments And Modifications To Objective</b></p> <p>The NIH hired one scientific director in fiscal year 2008. This scientific director's race/ethnicity is Asian/Pacific Islander. This improves the representation of Asian/PI scientific directors at NIH to 4%.</p>	

# EEOC Form 715-01 Part J

*U.S. Equal Employment Opportunity Commission*

## Federal Agency Annual EEO Program Status Report

### Special Program Plan for the Recruitment, Hiring, and Advancement of Individuals with Targeted Disabilities

#### Part I – Department or Agency Information

<b>1. Agency</b>	1. Department of Health and Human Services
<b>1a. 2<sup>nd</sup> Level Component</b>	1a. National Institutes of Health (NIH)
<b>1b. 3<sup>rd</sup> Level Component</b>	1b.

#### Part II – Employment Trend and Special Recruitment for Individuals with Targeted Disabilities

Enter Actual Number at the	Beginning FY 2008 #	Beginning FY 2008 %	End FY 2008 #	End FY 2008 %	Net Change #	Net Change %
<b>Total Work Force</b>	17,241	100.00%	17,694	100.00%	453	2.63%
<b>Reportable Disability</b>	799	4.63%	818	4.62%	19	2.38%
<b>Targeted Disability*</b>	177	1.03%	180	1.02%	3	1.69%

\* If the rate of change for persons with targeted disabilities is not equal to or greater than the rate of change for the total workforce, a barrier analysis should be conducted (see below)

<b>1. Total Number of Applications Received From Persons with Targeted Disabilities during the reporting period</b>	Unknown
<b>2. Total Number of Selections of Individuals with Targeted Disabilities during the reporting period.</b>	12

### Part III – Participation Rates in Agency Employment Programs

Other Employment	Total	Reportable	Reportable	Targeted	Targeted	Not	Not	No	No
3. Competitive Promotions	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk
4. Non-Competitive Promotions	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk
5. Employee Career Development Programs	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk
5a. Grades 5-12	6578	370	5.62%	102	1.55%	302	4.59%	5906	89.78%
5b. Grades 13-14	4491	199	4.43%	27	.60%	226	5.03%	4066	90.54%
5c. Grades 15/SES	1344	47	3.50%	8	.60%	97	7.22%	1200	89.29%
6. Employee Recognition and Awards									
6a. Time-Off Awards (total 9 or more hours awarded)	1140	54	4.74%	13	1.14%	54	4.73%	1032	90.53%
6b. Cash Awards (total more than \$500 awarded)	14,586	672	4.61%	132	.91%	662	4.54%	13,252	90.85%
6c. Quality Step Increase	1243	44	3.54%	8	.64%	28	2.25%	1171	94.21%

## **Part IV – Identification and Elimination of Barriers**

Individuals with targeted disabilities represent approximately 1.02% of the NIH workforce. This is well below the federal benchmark of 2.65% for targeted disabilities. NIH has identified limited utilization of special hiring authorities and limited targeted outreach and recruitment to individuals with targeted disabilities as barriers.

## **Part V – Goals for Targeted Disabilities**

The NIH will target outreach and recruitment for NIH vacancies to qualified individuals with disabilities. Further NIH will continue to educate managers, supervisors and selecting officials about usage of the special hiring authorities for qualified individuals with disabilities.

NIH aspires to increase the representation of individuals with targeted disabilities in fiscal year 2009.

## Appendix A

### NIH Tenured and Tenure Track Profile

#### Investigators – Tenure Track Scientists

	October 2007	October 2008
White*	67.5%	70.9%
Black	2.0%	1.6%
Hispanic	4.6%	4.5%
Asian/Pacific Islander	25.7%	23.1%
Native American/Alaska Native	0%	0%
Source: NIH Office of Intramural Research		
* White also contains count for Foreign Nationals		

	October 2007	October 2008
White*	160	175
Black	5	4
Hispanic	11	11
Asian/Pacific Islander	61	57
Native American/Alaska Native	0	0
Total	237	247
Source: NIH Office of Intramural Research		
* White also contains count for Foreign Nationals		

## Senior Investigators – Tenured Scientists

	October 2007	October 2008
White*	84.7%	84.0%
Black	1.0%	1.0%
Hispanic	2.4%	2.6%
Asian/Pacific Islander	11.8%	12.3%
Native American/Alaska Native	.1%	.1%
Source: NIH Office of Intramural Research		
* White also contains count for Foreign Nationals		

	October 2007	October 2008
White*	763	757
Black	9	9
Hispanic	22	23
Asian/Pacific Islander	106	111
Native American/Alaska Native	1	1
Total	901	901
Source: NIH Office of Intramural Research		
* White also contains count for Foreign Nationals		

## Tenured and Tenure Track Scientists in U.S. Universities

	October 2007	October 2008
White*	82.3%	72.1%
Black	3.1%	4.8%
Hispanic	2.7%	4.2%
Asian/Pacific Islander	11.1%	17.3%
Native American/Alaska Native	.8%	1.2%
Source: NIH Office of Intramural Research		
* White also contains count for Foreign Nationals		

## NIH Lab and Branch Chief Profile

### NIH Lab and Branch Chief Equivalents

	%	#
White	89.3%	217
Black	1.7%	4
Hispanic	2.1%	5
Asian/PI	6.6%	16
AI/AN	0%	0
Unknown	.4%	1

Source: NIH ICs and Datawarehouse 2008.