

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**

**PART A**  
Department  
or Agency  
Identifying  
Information

**1. Agency**

**1.** Surface Transportation Board

**1.a** 2nd level reporting component

**2. Address**

**2.** 395 E Street, SW

**3. City, State, Zip Code**

**3.** Washington, DC 20423

**4. Agency Code**

**5. FIPS code(s)**

**4.** TW00

**5.** 11001

**PART B**  
Total  
Employment

**1.** Enter total number of permanent full-time and part-time employees

**1.** 118

**2.** Enter total number of temporary employees

**2.** 5

**3. TOTAL EMPLOYMENT [add lines B 1 through 2]**

**4.** 123

**PART C**

Agency Official(s) Responsible  
For Oversight of EEO  
Program(s)

**Title Type**

**Name**

**Title**

Head of Agency

Robert E. Primus

Chairman

Principal EEO Director/Official

Camella Woodham

EEO Director

Affirmative Employment Program Manager

Camella Woodham

EEO Director

Complaint Processing Program Manager

Camella Woodham

EEO Director

Diversity & Inclusion Officer

Camella Woodham

EEO Director

Hispanic Program Manager (SEPM)

Camella Woodham

EEO Director

Women's Program Manager (SEPM)

Camella Woodham

EEO Director

Disability Program Manager (SEPM)

Camella Woodham

EEO Director

Special Placement Program Coordinator (Individuals  
with Disabilities)

Jennifer Layne

Human Resources Director

Reasonable Accommodation Program Manager

Matthew Bornstein, Lenye Franklin,  
Jennifer Miles

Reasonable Accommodation  
Advisory Panel

Anti-Harassment Program Manager

Jennifer Layne

Human Resources Director

ADR Program Manager

Camella Woodham

EEO Director

Compliance Manager

Camella Woodham

EEO Director

Principal MD-715 Preparer

Camella Woodham

EEO Director

For period covering October 1, 2022 to September 30, 2023

<b>PART D</b> List of Subordinate Components Covered in This Report	<b>Subordinate Component and Location</b> (City/State)	<b>Country</b>	<b>Agency Code</b>
<b>EEOC FORMS and Documents</b>	<b>Required</b>	<b>Uploaded</b>	
EEO Policy Statement	Y	Y	
Reasonable Accommodation Procedure	Y	Y	
Personal Assistance Services Procedures	Y	Y	
Anti-Harassment Policy and Procedures	Y	Y	
Agency Strategic Plan	Y	Y	
Alternative Dispute Resolution Procedures	Y	Y	
Organization Chart	Y	Y	
Diversity Policy Statement	N	N	
EEO Strategic Plan	N	N	
Federal Equal Opportunity Recruitment Program (FEORP) Report	N	N	
Human Capital Strategic Plan	N	N	
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	N	N	
Disabled Veterans Affirmative Action Program (DVAAP) Report	N	N	

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

**EXECUTIVE SUMMARY: MISSION**

The Surface Transportation Board (Board, STB, or agency) is an independent adjudicatory and economic regulatory agency charged by Congress with resolving railroad rate and service disputes and reviewing proposed railroad mergers.

The STB is primarily charged with the economic oversight of the nation's freight rail system. The Board has regulatory jurisdiction over the reasonableness of railroad rates and practices, and over mergers, line acquisitions, new rail line construction, abandonments of existing rail lines, rail service issues, and certain matters regarding Amtrak. The Board is charged with providing an efficient and effective forum for the resolution of disputes and other matters within its jurisdiction. The Board promotes private-sector negotiations and resolutions where possible and appropriate and takes other actions in the public interest as necessary.

The STB is committed to equal employment opportunity and a discrimination-free and inclusive workplace where employees are supported and encouraged as they execute the agency's mission and provide equitable and inclusive service to the American public.

The bipartisan Board was established in 1996 as the successor to the Interstate Commerce Commission (ICC). The Board was administratively aligned with the Department of Transportation (DOT) until enactment of the Surface Transportation Board Reauthorization Act of 2015 (STB Reauthorization Act), Pub. L. No. 114-110, which established the Board as a fully independent agency on December 18, 2015. The STB Reauthorization Act also expanded the Board's membership from three to five Board members. The Board consists of five members nominated by the President and confirmed by the Senate.

The STB staff offices are comprised of attorneys, economists, and financial, transportation, and environmental analysts. Additionally, human resource specialists, paralegals, information technology specialists, facilities managers, and contractors provide support to ensure the STB is able to meet its statutory responsibilities.

The STB is located in Washington, D.C.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F

STB'S ANNUAL SELF-ASSESSMENT AGAINST MD-715 ESSENTIAL ELEMENTS

Essential Element A: Demonstrated Commitment from STB Leadership

The STB's commitment to equal employment opportunity (EEO) is evident in the Board's Equal Employment Opportunity and Diversity Policy Statement which reads, in part:

As Chair of the Surface Transportation Board (STB), I reaffirm the agency's commitment to equal opportunity in employment regardless of race, color, sex (including pregnancy, sexual orientation, gender identity, and gender stereotyping), national origin, religion, age (40 years and older), disability (physical and/or mental), genetic information, and/or reprisal for an individual's opposition to discrimination or participation in the EEO process, as set forth in more detail below. The STB will continue to provide a workplace that is free from all forms of discrimination, harassment, and retaliation, ensuring equal opportunity in all human capital and employment programs, management practices, and employment-based decisions, including, but not limited to, recruitment, hiring, merit promotions, transfers, reassignments, training and career development, benefits, and separations.

The policy further commits to:

...continue to actively and consistently support and promote the principles of equal opportunity, diversity, inclusion, and accessibility in order to guarantee an environment in which employees are valued, treated with dignity and respect, and provided the freedom to compete on a fair and level playing field. The entire STB community—executive leadership, supervisors, managers, and staff—will always be held accountable to maintain an environment with the highest standards of diversity, inclusion, accessibility, and equal employment opportunity.

The EEO Program contact information is posted on the STB's public webpage and intranet site.

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

The STB's Strategic Plan for Fiscal Year (FY) 2023 through FY 2026 underscores the Board's commitment to "employ a skilled and diverse workforce, encourage innovative leadership at all levels of STB, and apply best practices in a collaborative and well-supported environment." This strategic goal further provides:

The STB needs a skilled and innovative workforce to carry out its regulatory goals. The civil service provisions of Title 5 of the U.S. Code, along with the regulations supporting them and principles of morality, equality, and good governance, mandate that all Federal agencies, including the STB, perform their duties professionally, fairly, and free of prejudice and discrimination. The STB selected this goal to affirmatively endorse the concept of operating professionally, fairly, inclusively, and respectfully of all persons. The STB also selected this goal to place renewed emphasis on the role of data management and data-driven decision-making in STB operations, as described in the Objectives and Strategies below. Recognizing that diversity of views results in stronger decision-making, the STB is making strategic decisions to create a workplace culture that is diverse, inclusive, accessible, and equitable. A workforce that is representative of people from diverse backgrounds and encourages learning from those differences will create a workplace culture that produces strong and innovative solutions.

Objective 4.1: Foster a workplace culture that is inclusive, equitable, and accessible by developing and employing a skilled workforce that is representative of people from diverse backgrounds at all levels of the agency.

Objective 4.2: Encourage innovative leadership at all levels of the STB that creates a culture of inclusion and, among other things, is attentive to our changing work environment.

Objective 4.3: Apply best practices in a collaborative and well-supported environment, incorporating data-driven decision-making.

Essential Element C: Management and Program Accountability

During FY 2023, the STB promoted accountability of its EEO program by taking actions including the following:• Posted EEO complaint processing data on its public website. (Consistent with the Notification and Federal Employee Antidiscrimination and

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

**EXECUTIVE SUMMARY: ESSENTIAL ELEMENT A-F**

Retaliation Act of 2002 (No FEAR Act);• Ensured agency-wide compliance with No FEAR Act training requirements;• The Office of Human Resources offered exit interviews to all separating employees which included questions about diversity and improving the hiring/retention for persons with disabilities;• The Reasonable Accommodations program ensured all requests for reasonable accommodation were timely processed;• All managers and supervisors complied with Reasonable Accommodation and Anti- harassment program procedures; and• The agency is prepared to timely process allegations of harassment according to established agency policy and procedures.

**Essential Element D: Proactive Prevention of Unlawful Discrimination**

As part of its proactive prevention efforts, the STB disseminates EEO policies covering harassment prevention and personal assistance services to all personnel. The STB also published information on the EEO complaint process, EEO policies, and the roles and responsibilities of the EEO office on its public website. EEO posters are placed in the Human Resources Office to provide employees and applicants for employment with notice of their EEO rights and to highlight the 45-day time limit for contacting an EEO Counselor or the EEO Director.

The STB's offices are accessible to persons with physical disabilities in compliance with the Architectural Barriers Act. The EEO Director analyzed applicant flow data, which is discussed in the Workforce Analysis below.

**Essential Element E: Efficiency**

In FY 2023, there were zero counseling matters initiated.

**Essential Element F: Responsiveness and Legal Compliance**

The STB has conducted an annual self-assessment against the essential elements prescribed by the EEOC's Management Directive 715 (MD-715). Where the Board found non-compliance with the MD-715 requirements, the STB developed and implemented a plan for addressing the gaps with input from senior leaders.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

**EXECUTIVE SUMMARY: WORKFORCE ANALYSES**

See E3 Workforce Analysis in attached "STB 2023 FINAL PARTS"

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

**EXECUTIVE SUMMARY: ACCOMPLISHMENTS**

**Action Plans Implemented**

In FY 2023, the STB achieved several accomplishments in the areas of EEO, Diversity and Inclusion, and Leadership Development, including, but not limited to, the accomplishments listed below.

**Leadership Commitment to EEO**

All managers and supervisors are expected to adhere to EEO principles. By way of the Chairman's annual statement on EEO and Diversity Policy, the Board reiterates its commitment to equal opportunity in employment. This policy statement expresses the STB's continuing commitment to provide a workplace that is free from all forms of discrimination, harassment, and retaliation. The statement also states that STB leadership, managers, supervisors, and staff will be held accountable for maintaining a work environment that adheres to the highest standards of diversity, inclusion, and equal employment opportunity. Further, the statement promises to continue to strengthen the agency's efforts to attract, hire, and retain individuals with disabilities through the use of special hiring authorities and by providing reasonable accommodations to qualified individuals with disabilities and ensuring that applicants for employment and existing employees with disabilities are treated with respect and fairness.

**Periodic Training for Supervisors and Hiring Officials Related to the Hiring, Promotion, and Reasonable Accommodation of Individuals with Disabilities**

The STB provides training to all managers on Schedule A hiring authority and Reasonable Accommodation (RA) to ensure their awareness of their role in hiring and retaining employees with temporary or permanent disabilities.

The STB will continue to provide training to supervisors and hiring officials to ensure that they are aware of their responsibilities regarding hiring and supervising employees with disabilities. The training will cover restrictions on questions related to medical information, Schedule A hiring authorities, the STB's disability accommodation procedures/personal assistance services, overlap between the Family Medical Leave Act and the Rehabilitation Act of 1973, and confidentiality requirements.

In addition, the Office of Human Resources encouraged managers to take affirmative steps to recruit, hire, train, and promote employees from diverse backgrounds.

**Accommodating Individuals with Disabilities**

STB posts reasonable accommodation procedures on its intranet and internet sites. All employees are made aware of the procedures and their rights concerning reasonable accommodation requests. STB processes all accommodation requests within the time frame set forth in its reasonable accommodation procedures.

**Outreach, Recruitment and Retention of Diverse Talent**

In FY 2023, STB took several affirmative steps to seek diversity in the workforce by:

- Engaging STB staff from offices across the Board in workforce special observance efforts, and
- Partnering with professional associations, educational organizations, and institutions to inform diverse professionals and students about STB career and internship opportunities.

**Employee Engagement**

All employees are encouraged to participate in special observance events at the STB. The STB's special emphasis programs have been well received and have promoted engagement in the virtual environment.

Through investment in employee development, the STB has risen to new challenges brought on by the pandemic and other disruptions to the workplace, as well as to the transportation industry. To support our workforce during this challenging time, STB instituted several workplace initiatives, including telework scheduling flexibilities. These flexibilities have had a positive impact on the workforce on whole and have also resulted in increased inclusion for our disabled employees and employees with caregiving responsibilities.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

**EXECUTIVE SUMMARY: ACCOMPLISHMENTS**

**Training and Leadership Development**

The STB provided numerous opportunities for employees to acquire the skills and certifications needed to succeed in their positions and to progress in their careers. The STB provided virtual and e-Learning programs and offered an extensive array of learning opportunities in various areas (e.g., business writing) as well as in leadership development to STB senior leaders and non-supervisory staff.

**Career Development Programs**

In FY 2023, STB employees took job-related training programs and on-the job training and, as noted above, employees acquired skills and certifications needed to succeed in their positions and progress in their careers, however, the agency does not have an agency-wide career development program that is competed broadly.



Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

**EXECUTIVE SUMMARY: PLANNED ACTIVITIES**

FY 2025 Planned Activities

- Review quarterly applicant flow data;
- Continue to encourage managers to take affirmative steps to recruit, hire, train, and promote employees from diverse backgrounds;
- Continue and establish additional partnerships with professional and educational partners; and
- Establish additional recruitment sources to expand outreach to underserved groups and groups with low participation in STB workforce and applicant data.


Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

**CERTIFICATION of ESTABLISHMENT of CONTINUING  
EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**

 am the  
(Insert Name Above) (Insert official  
title/series/grade above)

Principal EEO Director/Official for

  
(Insert Agency/Component Name above)

The agency has conducted an annual self-assessment of Section 717 and Section 501 programs against the essential elements as prescribed by EEO MD-715. If an essential element was not fully compliant with the standards of EEO MD-715, a further evaluation was conducted and, as appropriate, EEO Plans for Attaining the Essential Elements of a Model EEO Program, are included with this Federal Agency Annual EEO Program Status Report.

The agency has also analyzed its work force profiles and conducted barrier analyses aimed at detecting whether any management or personnel policy, procedure or practice is operating to disadvantage any group based on race, national origin, gender or disability. EEO Plans to Eliminate Identified Barriers, as appropriate, are included with this Federal Agency Annual EEO Program Status Report.

I certify that proper documentation of this assessment is in place and is being maintained for EEOC review upon request.

\_\_\_\_\_  
Signature of Principal EEO Director/Official  
Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with  
EEO MD-715.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Agency Head or Agency Head Designee



\_\_\_\_\_  
Date

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**

**Agency Self-Assessment Checklist**



**Essential Element: A Demonstrated Commitment From agency Leadership**

 <b>Compliance Indicator</b>		<b>Measure Has Been Met</b>		<b>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</b>
 <b>Measures</b>		Yes	No	
	A.1. The agency issues an effective, up-to-date EEO policy statement.			
	A.1.a. Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "Yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	X		Latest statement was signed May 18, 2023 and posted to the STB intranet. 5/18/2023
	A.1.b. Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)] If the EEO policy statement covers any additional bases (e.g., marital status, veteran status and political affiliation), please list them in the comments column.	X		

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

## Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures	A.2. The agency has communicated EEO policies and procedures to all employees.	Yes	No	N/A	

A.2.a. Does the agency disseminate the following policies and procedures to all employees:

A.2.a.1. Anti-harassment policy? [see MD 715, II(A)]	X			Issued May 18, 2023.
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A.2.a.2. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)]	X			
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A.2.b. Does the agency prominently post the following information throughout the workplace and on its public website:

A.2.b.1. The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	X			
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A.2.b.2. Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint process? [see 29 CFR §1614.102(b)(5)]	X			
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A.2.b.3. Reasonable accommodation procedures? [see 29 CFR § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	X			<a href="https://www.stb.gov/wp-content/uploads/Reasonable_Accor">https://www.stb.gov/wp-content/uploads/Reasonable_Accor</a>
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A.2.c. Does the agency inform its employees about the following topics:

A.2.c.1. EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often and the means by which such training is delivered.	X			Annually
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A.2.c.2. ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	X			Annually
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A.2.c.3. Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	X			Annually
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A.2.c.4. Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.	X			Annually.
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A.2.c.5. Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR §2635.101(b)] If "yes", please provide how often.	X			Annually
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Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Agency Self-Assessment Checklist



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If “yes”, provide one or two examples in the comments section. .			X		The STB does has not established an EEO based award.
A.3.b. Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]'		X			

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**

**Agency Self-Assessment Checklist**





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

 <b>Compliance Indicator</b>		<b>Measure Has Been Met</b>		<b>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</b>
		<b>Yes</b>	<b>No</b>	
 <b>Measures</b>	B.1. The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.			
	B.1.a. Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	X		
	B.1.a.1. If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.			X EEO Director reports to the agency head.
	B.1.a.2. Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	X		
	B.1.b. Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	X		
	B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.		X	The Chairman is briefed annually in January
	B.1.d. Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	X		The EEO Director reports directly to the Chairman. OEEO is consulted and provides input strategic planning, equity discussions and input into personnel, technology, and other workforce issues.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023



Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	B.2. The EEO Director controls all aspects of the EEO program.				
	B.2.a. Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)] If not, identify the office with this authority in the comments column.	X			
	B.2.b. Is the EEO Director responsible for overseeing the completion of EEO counseling? [see 29 CFR §1614.102(c)(4)]	X			
	B.2.c. Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
	B.2.d. Is the EEO Director responsible for overseeing the timely issuance of final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	X			
	B.2.e. Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	X			
	B.2.f. Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	X			
	B.2.g. If the agency has subordinate level components, does the EEO Director provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2); (c)(3)]			X	No subordinate level components.
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	B.3. The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.				
	B.3.a. Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	X			
	B.3.b. Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	X			See STB FY 2022-2026 Strategic Plan Goal #4

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**

**Agency Self-Assessment Checklist**



 <b>Compliance Indicator</b>		<b>Measure Has Been Met</b>			<b>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</b>
 <b>Measures</b>		Yes	No	N/A	
	B.4. The agency has sufficient budget and staffing to support the success of its EEO program.				
B.4.a. Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:					
	B.4.a.1. to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	X			
	B.4.a.10. to effectively manage its reasonable accommodation program? [see 29 CFR §1614.203(d)(4)(ii)]	X			
	B.4.a.11. to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	X			
	B.4.a.2. to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	X			
	B.4.a.3. to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR §§ 1614.102(c)(5); 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	X			
	B.4.a.4. to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	X			
	B.4.a.5. to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field offices, if applicable? [see 29 CFR §1614.102(c)(2)]			X	No subordinate components or field offices.
	B.4.a.6. to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	X			
	B.4.a.7. to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)] If not, please identify the systems with insufficient funding in the comments section.	X			
	B.4.a.8. to effectively administer its special emphasis programs (such as, Federal Women's Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(i) and (u); 5 CFR § 315.709]	X			
	B.4.a.9. to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I; EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	X			



Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023



## Agency Self-Assessment Checklist

B.4.b. Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]				X	EEO program requirements are supplied through the Office of the Chairman. All resources needed for the office are approved as the need arises. STB shares an EEO officer with another agency. Per memorandum, certain budget items that impact both agencies are shared. STB does not have plans to reconstruct this structure.
B.4.c. Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]		X			
B.4.d. Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II) (A) of MD-110?		X			
B.4.e. Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?		X			
 <b>Compliance Indicator</b>	B.5. The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills	<b>Measure Has Been Met</b>		N/A	<b>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</b>
 <b>Measures</b>		Yes	No		
B.5.a. Pursuant to 29 CFR §1614.102(a)(5), have all managers and supervisors received orientation, training, and advice on their responsibilities under the following areas under the agency EEO program:					
B.5.a.1. EEO complaint process? [see MD-715(II)(B)]		X			
B.5.a.2. Reasonable Accommodation Procedures? [see 29 CFR § 1614.102(d)(3)]		X			
B.5.a.3. Anti-harassment policy? [see MD-715(II)(B)]		X			
B.5.a.4. Supervisory, managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]		X			
B.5.a.5. ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]		X			

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Agency Self-Assessment Checklist



 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	B.6. The agency involves managers in the implementation of its EEO program.				
B.6.a. Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]		X			
B.6.b. Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]		X			
B.6.c. When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]		X			
B.6.d. Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR §1614.102(a)(5)]		X			

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Agency Self-Assessment Checklist



Essential Element: C Management and Program Accountability

 Compliance Indicator		Measure Has Been Met		For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	
 Measures	C.1. The agency conducts regular internal audits of its component and field offices.			N/A
C.1.a. Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.				X
				STB does not have field offices. All STB offices are included as part of the overall agency annual EEO Program Status Report.
C.1.b. Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.				X
				STB does not have field offices. All STB offices are included as part of the overall agency annual EEO Program Status Report.
C.1.c. Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]				X
				STB does not have field offices. All STB offices are included as part of the overall agency annual EEO Program Status Report.

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**

**Agency Self-Assessment Checklist**

	<b>Compliance Indicator</b>		<b>Measure Has Been Met</b>			<b>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</b>
	<b>Measures</b>	C.2. The agency has established procedures to prevent all forms of EEO discrimination.	Yes	No	N/A	
		C.2.a. Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	X			
		C.2.a.1. Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	X			
		C.2.a.2. Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]	X			The Agency Anti-harassment Policy outlines the separate responsibilities of the Employee Relations Specialist and the EEO Director with respect to harassment complaints.
		C.2.a.3. Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	X			
		C.2.a.4. Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [See Enforcement Guidance, V.C.]	X			
		C.2.a.5. Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see Complainant v. Dep't of Veterans Affairs, EEOC Appeal No. 0120123232 (May 21, 2015); Complainant v. Dep't of Defense (Defense Commissary Agency), EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.	X			
		C.2.a.6. Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR §1614.203(d)(2)]	X			
		C.2.b. Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR §1614.203(d)(3)]	X			
		C.2.b.1. Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR §1614.203(d)(3)(D)]	X			
		C.2.b.2. Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	X			
		C.2.b.3. Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR §1614.203(d)(1)(ii)(B)]	X			
		C.2.b.4. Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR §1614.203(d)(3)(i)(M)]	X			

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023



Agency Self-Assessment Checklist

C.2.b.5. Does the agency process all initial accommodation requests, excluding ongoing interpretative services, within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If “no”, please provide the percentage of timely-processed requests, excluding ongoing interpretative services, in the comments column.	X			
C.2.c. Has the agency established procedures for processing requests for personal assistance services that comply with EEOC’s regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR §1614.203(d)(6)]	X			
C.2.c.1. Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR §1614.203(d)(5)(v)] If “yes”, please provide the internet address in the comments column.	X			<a href="https://prod.stb.gov/wp-content/uploads/files/docs/equalEmployment/Personal_Assistance">https://prod.stb.gov/wp-content/uploads/files/docs/equalEmployment/Personal_Assistance</a>

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**



**Agency Self-Assessment Checklist**

	Compliance Indicator	C.3. The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.	Measure Has Been Met		N/A	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
	Measures		Yes	No		
	C.3.a. Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?		X			
	C.3.b. Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:					
	C.3.b.1. Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.I]		X			
	C.3.b.2. Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]		X			
	C.3.b.3. Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]		X			
	C.3.b.4. Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]		X			
	C.3.b.5. Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]		X			
	C.3.b.6. Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]		X			
	C.3.b.7. Support the EEO program in identifying and removing barriers to equal opportunity?. [see MD-715, II(C)]		X			
	C.3.b.8. Support the anti-harassment program in investigating and correcting harassing conduct?. [see Enforcement Guidance, V.C.2]		X			
	C.3.b.9. Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]		X			
	C.3.c. Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]				X	Not applicable for FY23, as there were no incidents
	C.3.d. When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]				X	Not applicable for FY23, as there were no incidents

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023





Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			
 Measures		Yes	No	N/A	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
C.4.a. Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]		X			
C.4.b. Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]		X			
C.4.c. Does the EEO office have timely access to accurate and complete data (e.g., demographic data for the workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]		X			
C.4.d. Does the HR office timely provide the EEO office with access to other data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]		X			
C.4.e. Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:					
C.4.e.1. Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]		X			
C.4.e.2. Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]		X			
C.4.e.3. Develop and/or provide training for managers and employees? [see MD-715, II(C)]		X			
C.4.e.4. Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]		X			
C.4.e.5. Assist in preparing the MD-715 report? [see MD-715, II(C)]		X			

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

## Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	C.5. Following a finding of discrimination, the agency explores whether it should take a disciplinary action.			N/A	
	C.5.a. Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? [see 29 CFR §1614.102(a)(6); see also Douglas v. Veterans Administration, 5 MSPR 280 (1981)]	X			
	C.5.b. When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.			X	No disciplinary actions were processed for the time period reported.
	C.5.c. If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct (e.g., post mortem to discuss lessons learned)? [see MD-715, II(C)]			X	No findings of discrimination or settlements occurred in FY 2023.
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	C.6. The EEO office advises managers/supervisors on EEO matters.			N/A	
	C.6.a. Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.	X			Annually
	C.6.b. Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	X			





Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Agency Self-Assessment Checklist



Essential Element: D Proactive Prevention

 Compliance Indicator		Measure Has Been Met		For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	
	D.1. The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.			
D.1.a. Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]		X		
D.1.b. Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; and/or external special interest groups? [see MD-715 Instructions, Sec. I]		X		The agency uses the available (limited) data sets for trigger identification.
D.1.c. Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR §1614.203(d)(1)(iii)(C)]		X		The HR Office conducts exit interviews focused on overall retention and employee satisfaction.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023





## Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
D.2.a. Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, (II)(B)]	D.2. The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)	X			
D.2.b. Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]		X			
D.2.c. Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]		X			
D.2.d. Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, and/or external special interest groups? [see MD-715 Instructions, Sec. I]] If "yes", please identify the data sources in the comments column.		X			Complaint/grievance data, exit surveys, employee climate surveys, affinity groups, program evaluations, anti-harassment program, special emphasis programs, reasonable accommodation program; anti-harassment program.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

## Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	D.3. The agency establishes appropriate action plans to remove identified barriers.				
	D.3.a. Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	X			
	D.3.b. If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]			X	No barriers were identified. The agency is continuing its investigation of triggers.
	D.3.c. Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]			X	No barriers were identified. The agency is continuing its investigation of triggers.
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	D.4. The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities.				
	D.4.a. Does the agency post its affirmative action plan on its public website? [see 29 CFR §1614.203(d)(4)] If yes, please provide the internet address in the comments.	X			<a href="https://prod.stb.gov/wp-content/uploads/FY-2019-Affirmative-Employment-for-Persons-with-Disabilities.pdf">https://prod.stb.gov/wp-content/uploads/FY-2019-Affirmative-Employment-for-Persons-with-Disabilities.pdf</a>
	D.4.b. Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR §1614.203(d)(1)(i)]	X			
	D.4.c. Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR §1614.203(d)(1)(ii)(A)]	X			
	D.4.d. Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR §1614.203(d)(7)(ii)]	X			

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023



Agency Self-Assessment Checklist

Essential Element: E Efficiency

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**



**Agency Self-Assessment Checklist**

	Compliance Indicator	E.1. The agency maintains an efficient, fair, and impartial complaint resolution process.	Measure Has Been Met		N/A	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
	Measures		Yes	No		
	E.1.a. Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?				X	No EEO Counselings were initiated in FY 2023
	E.1.b. Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?				X	No EEO Counselings were initiated in FY 2023
	E.1.c. Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(I)?				X	No EEO Complaints were filed in FY 2023
	E.1.d. Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(I)? If so, please provide the average processing time in the comments.				X	There were no EEO complaints filed in FY 2023
	E.1.e. Does the agency ensure that all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?				X	No EEO Complaints were filed in FY 2023
	E.1.f. Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?				X	No EEO Complaints were filed in FY 2023
	E.1.g. If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?				X	There were no EEO investigations conducted in FY 2023
	E.1.h. When the complainant did not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?				X	No Final Agency Decisions were requested/issued in FY 2023
	E.1.i. Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?				X	There were no EEO administrative judge decisions issued in FY 2023
	E.1.j. If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.				X	There was no complaint activity in FY 2023
	E.1.k. If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]				X	There was no complaint activity in FY 2023
	E.1.l. Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]				X	There was no complaint activity in FY 2023

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023





## Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met				For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A		
E.2.a. Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)] If "yes", please explain.		X			The EEO program is separate from the Office of General Counsel, the Agency's defensive function.	
E.2.b. When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If "yes", please identify the source/ location of the attorney who conducts the legal sufficiency review in the comments column.		X			There has not been a need for sufficiency review in FY 2021. Procedures will be put in place in the event of the need for sufficiency review.	
E.2.c. If the EEO office relies on the agency's defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]		X				
E.2.d. Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]				X	There was no EEO complaint activity in FY 2023.	
E.2.e. If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints? [see EEOC Report, Attaining a Model Agency Program: Efficiency (Dec. 1, 2004)]				X	There was no EEO complaint activity in FY 2023.	

**Surface Transportation Board**

**For period covering October 1, 2022 to September 30, 2023**



**Agency Self-Assessment Checklist**

 <b>Compliance Indicator</b>		<b>Measure Has Been Met</b>			<b>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</b>
 <b>Measures</b>		Yes	No	N/A	
	E.3. The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.				
	E.3.a. Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	X			
	E.3.b. Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]	X			
	E.3.c. Does the Agency encourage all employees to use ADR, where ADR is appropriate? [See MD-110, Ch. 3(IV)(C)]	X			
	E.3.d. Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]	X			
	E.3.e. Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]	X			
	E.3.f. Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	X			
 <b>Compliance Indicator</b>		<b>Measure Has Been Met</b>			<b>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</b>
 <b>Measures</b>		Yes	No	N/A	
	E.4. The agency has effective and accurate data collection systems in place to evaluate its EEO program.				
	E.4.a. Does the agency have systems in place to accurately collect, monitor, and analyze the following data:				
	E.4.a.1. Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	X			
	E.4.a.2. The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	X			
	E.4.a.3. Recruitment activities? [see MD-715, II(E)]	X			
	E.4.a.4. External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]	X			
	E.4.a.5. The processing of requests for reasonable accommodation? [29 CFR §1614.203(d)(4)]	X			
	E.4.a.6. The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	X			
	E.4.b. Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	X			

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
E.5.a. Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-715, II(E)] If “yes”, provide an example in the comments.		X			The agency reviews data in complaint activity and exit interviews to search for trends.
E.5.b. Does the agency review other agencies’ best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If “yes”, provide an example in the comments.		X			Yes, the agency attends small agency AE/EEO committee meetings where small agencies share best practices, resources, training and other information to improve the effectiveness of EEO programs.
E.5.c. Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]		X			





Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Agency Self-Assessment Checklist





Essential Element: F Responsiveness and Legal Compliance

 Compliance Indicator		Measure Has Been Met		For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	
 Measures	F.1. The agency has processes in place to ensure timely and full compliance with EEOC orders and settlement agreements.			
	F.1.a. Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	X		
	F.1.b. Does the agency have a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	X		
	F.1.c. Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	X		
	F.1.d. Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	X		
	F.1.e. When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX) (H)]			X There were no compliance orders issued against STB in FY 2023.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Agency Self-Assessment Checklist

 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	F.2. The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.				
	F.2.a. Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]			X	There were no EEOC orders issued against STB in FY 2023.
	F.2.a.1. When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]			X	No hearings were requested in FY 2023.
	F.2.a.2. When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]			X	There were no findings of discrimination against STB in FY 2023.
	F.2.a.3. When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]			X	There were no appeals filed by complainants in FY 2023.
	F.2.a.4. Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?			X	There was no complaint activity requiring compliance in FY 2023.
 Compliance Indicator		Measure Has Been Met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
 Measures		Yes	No	N/A	
	F.3. The agency reports to EEOC its program efforts and accomplishments.				
	F.3.a. Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	X			
	F.3.b. Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	X			

Essential Element: O Other

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Plan to Attain Essential Elements

PART H.1

Brief Description of Program  
Deficiency:

A.3.a. Does the agency provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If “yes”, provide one or two examples in the comments section. .

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Plan to Attain Essential Elements

PART H.2

Brief Description of Program  
Deficiency:

B.1.c. During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I] If "yes", please provide the date of the briefing in the comments column.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Plan to Attain Essential Elements

PART H.3

Brief Description of Program  
Deficiency:

C.1.a. Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.

Surface Transportation Board

For period covering October 1, 2022 to September 30, 2023

Plan to Eliminate Identified Barriers

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

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

**Section I: Efforts to Reach Regulatory Goals**

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

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

a.Cluster GS-1 to GS-10 (PWD)

Answer No

b.Cluster GS-11 to SES (PWD)

Answer No

Demographic data table B4 shows the following: Of the three (3) permanent employees in the GS-1 to GS-10 cluster, one (33.33%) employee self-identified as a PWD. This is above the 12% benchmark. Of the one hundred fifteen (115) permanent employees in the GS-11 to SES/Senior Pay cluster, ten (8.70%) employees self-identified as a PWD. This is below the 12% benchmark.

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

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

a.Cluster GS-1 to GS-10 (PWTD)

Answer Yes

b.Cluster GS-11 to SES (PWTD)

Answer No

Demographic data table B4 shows the following: Of the three (3) permanent employees in the GS-1 to GS-10 cluster, zero (0.00%) employees self-identified as a PWTD. This is below the 2% benchmark. Of the one hundred fifteen (115) permanent employees in the GS-11 to SES/Senior Pay cluster, three (2.61%) employees self-identified as a PWTD. This is above the 2% benchmark. (see chart in "STB- 2023 FINAL PARTS" --Part J

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

The Agency communicated the numerical goals to hiring managers via email.

**Section II: Model Disability Program**

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

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

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

Answer Yes

2. Identify all staff responsible for implementing the agency's disability employment program by the office, staff employment status, and responsible official.

Disability Program Task	# of FTE Staff By Employment Status			Responsible Official (Name, Title, Office Email)
	Full Time	Part Time	Collateral Duty	
Processing reasonable accommodation requests from applicants and employees	0	0	3	Reasonable Accommodation Panel DepuVarious raap@stb.gov
Processing applications from PWD and PWTD	1	0	0	Nilsa Grange HR Specialist nilsa.grangestb.gov
Answering questions from the public about hiring authorities that take disability into account	0	0	3	Nilsa Grange HR Specialist nilsa.grange@stb.gov
Section 508 Compliance	1	0	0	Usha Naik Chief Information Officer usha.naik@stb.gov
Special Emphasis Program for PWD and PWTD	1	0	0	Camella Woodham EEO Director camella.woodham@stb.gov
Architectural Barriers Act Compliance	1	0	0	Jon Smith, Chief of Facilities jon.smith@stb.gov

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

Answer Yes

Yes. The agency has provided disability program staff with sufficient training to carry out their responsibilities during the reporting period. OHR staff keeps abreast of OPM requirements. Internal staff training includes training concerning autism training (Autism Speaks), reasonable accommodation, paid parental leave and other issues as they arise. OHR staff encourages managers during consultations to consider Schedule A as well as other flexible hiring authorities.

## B. PLAN TO ENSURE SUFFICIENT FUNDING FOR THE DISABILITY PROGRAM

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

Answer Yes

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

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

### A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

The STB continues to use a variety of recruitment strategies designed to increase the number of qualified applicants with disabilities and applicants with targeted disabilities with the major occupations. The STB used the following resources to identify job applicants with disabilities: OPM’s Agency Talent Portal and the Workforce Recruitment Program (WRP). The WRP is a recruitment and referral program that connects federal and private sector employers with college students and recent graduates. Additionally, the EEO Director sent recruitment announcements to disability affinity groups in an effort to identify job applicants with disabilities, including individuals with targeted disabilities.

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



The STB uses Schedule A appointing authority (5 C.F.R. 213.310(2)) and 30% or more Disabled Veteran appointing authority (5 U.S.C. 3112; C.F.R. 316.302, 316.402, and 315.707) to proactively hire PWD expeditiously. STB job announcements contain information explaining how to apply under Schedule A and other excepted service hiring authorities. Applicants with disabilities may also provide their application directly to the STB Office of Human Resources (OHR) at any time. The OHR reviews the current recruitment inventory to identify potential position(s) for which the applicant is suited, determines whether the applicant meets the Schedule A 213.3102(u) requirements, reviews for qualifications, and then forwards the application package to the appropriate subject matter expert (SME) and/or hiring manager for a further consideration.

3. When individuals apply for a position under a hiring authority that takes disability into account (e.g., Schedule A), explain how the agency (1) determines if the individual is eligible for appointment under such authority; and, (2) forwards the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed.

When individuals apply for a position under Schedule A, the HR Specialist will confirm that the applicant meets Schedule A eligibility. If the applicant meets the Schedule A requirements, their application is reviewed to determine if the applicant is qualified. The HR Specialist documents their review and provides a determination. If qualified, the candidate is referred to the hiring manager for further consideration. The HR Specialist will also explain the Schedule A hiring authority should the hiring official have any questions. To determine if an applicant is eligible under Schedule A, the Office of Human Resources reviews their application package to determine if they provided the required documentation (as described in the vacancy announcement from OPM's Disability Employment Page). The documentation is reviewed for eligibility under the hiring authority. This procedure is applied when a candidate submits an application through USAJobs and/or directly to OHR. If the documentation submitted is unclear, we give tentative consideration under this hiring authority. In this case, if the individual is selected, we ask the selectee to furnish the appropriate documentation. When an applicant applies through USAJobs, we review their package for eligibility. Those eligible and qualified under non-competitive hiring authorities are placed on a certificate of eligibles that is separate from those competitively eligible. Additionally, the OHR searches OPM's Agency Talent Portal, resumes we have on file, and/or other sources for recruiting persons with disabilities. If qualified candidates are found, the resumes are forwarded to the hiring official via email for consideration.

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

Answer Yes

Yes The STB provides mandatory annual training for senior leadership, hiring managers, and HR specialists to: - Promote and support employment of PWD/PWTD for all employment opportunities in the agency; - Use Schedule A authority for people with disabilities; - Use other tools available to assist hiring managers to identify qualified applicants with disabilities; and - Remain versed on the STB's procedures for providing reasonable accommodation to job applicants and employees with disabilities.

## **B. PLAN TO ESTABLISH CONTACTS WITH DISABILITY EMPLOYMENT ORGANIZATIONS**

Describe the agency's efforts to establish and maintain contacts with organizations that assist PWD, including PWTD, in securing and maintaining employment.

The Office of Human Resources utilizes the Workforce Recruitment Program and the EEO Director sends recruitment announcements to disability affinity groups in an effort to identify job applicants with disabilities, including individuals with targeted disabilities.

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

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

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

None of the new hires self-identified as being a PWD. Only one person (10%) was a PWD. See chart in "STB- 2023 FINAL PARTS" -Part J

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

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

See chart in "STB- 2023 FINAL PARTS" -Part J

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

- |  |        |     |
|--|--------|-----|
| a. Qualified Applicants for MCO (PWD)  | Answer | Yes |
| b. Qualified Applicants for MCO (PWTD) | Answer | Yes |

See chart in "STB- 2023 FINAL PARTS" -Part J

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

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

See chart in "STB-2023 FINAL PARTS" -Part J

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

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

### A. ADVANCEMENT PROGRAM PLAN

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

The STB is committed to ensuring opportunities for advancement for all employees, including PWD and PWTD. On an individual office basis, STB provides for various training opportunities to enhance skills and development. In all training and development activities, STB ensures that employees with disabilities are accommodated. Advancement opportunities are provided equally for all staff across the agency. If a barrier is found, a more targeted approach and a plan to remove the barrier is undertaken.

### B. CAREER DEVELOPMENT OPPORTUNITES

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

As a small agency, the STB does not have a formal career development program. However, it provides individual training, offers a SES Development and Leadership Development Program, and offers periodic details (internal and external).

2. In the table below, please provide the data for career development opportunities that require competition and/or supervisory recommendation/approval to participate.

Career Development Opportunities	Total Participants		PWD		PWTD	
	Applicants (#)	Selectees (#)	Applicants (%)	Selectees (%)	Applicants (%)	Selectees (%)
Internship Programs	0	0	0	0	0	0
Mentoring Programs	0	0	0	0	0	0
Coaching Programs	0	0	0	0	0	0
Training Programs	0	0	0	0	0	0
Detail Programs	0	0	0	0	0	0
Other Career Development Programs	0	0	0	0	0	0
Fellowship Programs	0	0	0	0	0	0

3. Do triggers exist for PWD among the applicants and/or selectees for any of the career development programs? (The appropriate benchmarks are the relevant applicant pool for the applicants and the applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. Applicants (PWD) Answer N/A

b. Selections (PWD) Answer N/A

Not applicable, as the STB does not have any formal career development programs due to its small size. However, all staff members are encouraged to seek out and attend trainings to maintain and develop their skillsets.

4. Do triggers exist for PWTD among the applicants and/or selectees for any of the career development programs? (The appropriate benchmarks are the relevant applicant pool for the applicants and the applicant pool for selectees.) If “yes”, describe the trigger(s) in the text box. Select “n/a” if the applicant data is not available for your agency, and describe your plan to provide the data in the text box.

a. Applicants (PWTD) Answer N/A

b. Selections (PWTD) Answer N/A

Not applicable, as the STB does not have any formal career development programs due to its small size. However, all staff members are encouraged to seek out and attend trainings to maintain and develop their skillsets.

## C. AWARDS

1. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTD for any level of the time-off awards, bonuses, or other incentives? If “yes”, please describe the trigger(s) in the text box.

a. Awards, Bonuses, & Incentives (PWD) Answer Yes

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

Using the Inclusion Rate (Table B9-2), to determine whether there are barriers to full inclusion of qualified PWD and PWTD, STB notes several triggers. (See Table B9-2)

2. Using the inclusion rate as the benchmark, does your agency have a trigger involving PWD and/or PWTD for quality step increases or performance-based pay increases? If “yes”, please describe the trigger(s) in the text box.

a. Pay Increases (PWD) Answer Yes

b. Pay Increases (PWTD) Answer Yes

Nine (9) individuals received QSI in FY 2023. One individual with disabilities (targeted) received a QSI in FY 2023. See chart in “STB- 2023 FINAL PARTS” -Part J

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

a. Other Types of Recognition (PWD) Answer N/A

b. Other Types of Recognition (PWTD) Answer N/A

Not applicable, as the STB did not have any other type of employee recognition program during FY 2019.

## D. PROMOTIONS

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

a. SES

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

ii. Internal Selections (PWD)	Answer	N/A
-------------------------------	--------	-----

b. Grade GS-15

i. Qualified Internal Applicants (PWD)	Answer	Yes
--	--------	-----

ii. Internal Selections (PWD)	Answer	Yes
-------------------------------	--------	-----

c. Grade GS-14

i. Qualified Internal Applicants (PWD)	Answer	Yes
--	--------	-----

ii. Internal Selections (PWD)	Answer	Yes
-------------------------------	--------	-----

d. Grade GS-13

i. Qualified Internal Applicants (PWD)	Answer	Yes
--	--------	-----

ii. Internal Selections (PWD)	Answer	Yes
-------------------------------	--------	-----

See chart in “STB- 2023 FINAL PARTS” -Part J

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

a. SES

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

ii. Internal Selections (PWTD)	Answer	N/A
--------------------------------	--------	-----

b. Grade GS-15

i. Qualified Internal Applicants (PWTD)	Answer	Yes
---	--------	-----

ii. Internal Selections (PWTD)	Answer	Yes
--------------------------------	--------	-----

c. Grade GS-14

i. Qualified Internal Applicants (PWTD)	Answer	No
---	--------	----

ii. Internal Selections (PWTD)	Answer	Yes
--------------------------------	--------	-----

d. Grade GS-13

i. Qualified Internal Applicants (PWTD)	Answer	No
---	--------	----

ii. Internal Selections (PWTD)	Answer	Yes
--------------------------------	--------	-----

See chart in “STB- 2023 FINAL PARTS” -Part J

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

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

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

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

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

See chart in “STB- 2023 FINAL PARTS” -Part J

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

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

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

c. New Hires to GS-14 (PWTD)	Answer	No
------------------------------	--------	----

d. New Hires to GS-13 (PWTD)	Answer	No
------------------------------	--------	----

See chart in “STB- 2023 FINAL PARTS” -Part J

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

a. Executives

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

ii. Internal Selections (PWD) Answer N/A

b. Managers

i. Qualified Internal Applicants (PWD) Answer Yes

ii. Internal Selections (PWD) Answer Yes

c. Supervisors

i. Qualified Internal Applicants (PWD) Answer Yes

ii. Internal Selections (PWD) Answer Yes

See chart in “STB- 2023 FINAL PARTS” -Part J

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

a. Executives

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

b. Managers

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

c. Supervisors

i. Qualified Internal Applicants (PWTD) Answer No

ii. Internal Selections (PWTD) Answer No

See chart in “STB- 2023 FINAL PARTS” -Part J

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

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

b. New Hires for Managers (PWD) Answer Yes

c. New Hires for Supervisors (PWD) Answer Yes

See chart in “STB- 2023 FINAL PARTS” -Part J

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

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

b. New Hires for Managers (PWTD) Answer Yes

c. New Hires for Supervisors (PWTD) Answer Yes

See chart in “STB- 2023 FINAL PARTS” -Part J

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

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

### A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

Answer N/A

In FY 2020, the STB did not have any eligible Schedule A employees to convert into the competitive service.

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

a. Voluntary Separations (PWD)

Answer Yes

b. Involuntary Separations (PWD)

Answer No

PWD Voluntary Separations (5%) PWD Involuntary Separations (0%)

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

a. Voluntary Separations (PWTD)

Answer No

b. Involuntary Separations (PWTD)

Answer No

PWTD Voluntary Separations (5%) PWTD Involuntary Separations (0%)

4. If a trigger exists involving the separation rate of PWD and/or PWTD, please explain why they left the agency using exit interview results and other data sources.

Exit interviews do not explain separation rate of PWD or PWTD.

## B. ACCESSIBILITY OF TECHNOLOGY AND FACILITIES

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

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

<https://www.stb.gov/policies-and-notice/>

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

<https://www.stb.gov/policies-and-notice/>

3. Describe any programs, policies, or practices that the agency has undertaken, or plans on undertaking over the next fiscal year, designed to improve accessibility of agency facilities and/or technology.

The agency is reviewing its Section 508 policy and procedures to ensure accessibility of agency technology.

## C. REASONABLE ACCOMMODATION PROGRAM

Pursuant to 29 C.F.R. § 1614.203(d)(3), agencies must adopt, post on their public website, and make available to all job applicants and employees, reasonable accommodation procedures.

1. Please provide the average time frame for processing initial requests for reasonable accommodations during the reporting period. (Please do not include previously approved requests with repetitive accommodations, such as interpreting services.)

The average processing time from the date of request to approval in 2023 was 13.2 days

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

During FY 2023, the STB timely processed 83.3% (5 out of 6) requests for reasonable accommodation. STB had one request out of six where the processing time exceeded our stated processing time. This was due to the time needed to procure a specific piece of technology.

## D. PERSONAL ASSISTANCE SERVICES ALLOWING EMPLOYEES TO PARTICIPATE IN THE WORKPLACE

Pursuant to 29 CFR §1614.203(d)(5), federal agencies, as an aspect of affirmative action, are required to provide personal assistance services (PAS) to employees who need them because of a targeted disability, unless doing so would impose an undue hardship on the agency.

Describe the effectiveness of the policies, procedures, or practices to implement the PAS requirement. Some examples of an effective program include timely processing requests for PAS, timely providing approved services, conducting training for managers and supervisors, and monitoring PAS requests for trends.

The STB did not receive any PAS requests in FY 2023.

## Section VI: EEO Complaint and Findings Data

### A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

Answer N/A

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

Answer N/A

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

Not applicable, as there were no findings of discrimination.

### B. EEO COMPLAINT DATA INVOLVING REASONABLE ACCOMMODATION

1. During the last fiscal year, did a higher percentage of PWD file a formal EEO complaint alleging failure to provide a reasonable accommodation, as compared to the government-wide average?

Answer N/A

2. During the last fiscal year, did any complaints alleging failure to provide reasonable accommodation result in a finding of discrimination or a settlement agreement?

Answer N/A

3. If the agency had one or more findings of discrimination involving the failure to provide a reasonable accommodation during the last fiscal year, please describe the corrective measures taken by the agency.

Not applicable, as there were no findings of discrimination.

## Section VII: Identification and Removal of Barriers

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

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

Answer No

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

Answer N/A

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

<b>Source of the Trigger:</b>	Workforce Data (if so identify the table)				
<b>Specific Workforce Data Table:</b>	Workforce Data Table - B1				
<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?	Lower than expected participation rate (percentage) of PWD and PWTD in 2022 selections. A review of triggers indicating a lower-than-expected participation rate for PWD and PWTD in the permanent workforce, as well as in the new hires to mission critical occupations. Additionally, triggers existed with regard to internal applicants with disabilities/targeted disabilities entering the selection pool for vacancies in the agency.				
<b>STATEMENT OF BARRIER GROUPS:</b>	<b><i>Barrier Group</i></b> People with Disabilities People with Targeted Disabilities				
<b>Barrier Analysis Process Completed?:</b>	N				
<b>Barrier(s) Identified?:</b>	N				
<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.	<b>Barrier Name</b>		<b>Description of Policy, Procedure, or Practice</b>		
<b>Objective(s) and Dates for EEO Plan</b>					
<b>Date Initiated</b>	<b>Target Date</b>	<b>Sufficient Funding / Staffing?</b>	<b>Date Modified</b>	<b>Date Completed</b>	<b>Objective Description</b>
03/01/2019	09/30/2019	Yes			To determine why PWD/PWTD participate at a lower rate.
<b>Responsible Official(s)</b>					
<b>Title</b>		<b>Name</b>		<b>Standards Address The Plan?</b>	
EEO Director		Camella Woodham		Yes	
HR Director		Jennifer Layne		Yes	
<b>Planned Activities Toward Completion of Objective</b>					
<b>Target Date</b>	<b>Planned Activities</b>			<b>Sufficient Staffing &amp; Funding?</b>	<b>Completion Date</b>
09/30/2019	Interview selecting officials and HR; Post Schedule A specific vacancy announcements; Analyze applicant flow data one Schedule A specific vacancy announcements are completed and Research the benefits of collaborating with state rehabilitation centers on outreach initiatives.			Yes	09/30/0025



### Report of Accomplishments

Fiscal Year	Accomplishments
2023	EEO established contact with: Career services at Gallaudet University (participate in job announcement board), Federal Exchange on Employment and Disability (FEED) — An interagency working group focused on information sharing, best practices, and collaborative partnerships designed to make the federal government a model employer of people with disabilities.
2022	Ensured all managers and supervisors received training and notification of Schedule A hiring flexibilities

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

NA

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

Although no barrier was identified, the STB was able to increase the number of PWTDS in the workforce.

6. If the planned activities did not correct the trigger(s) and/or barrier(s), please describe how the agency intends to improve the plan for the next fiscal year.

NA