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

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

The USPTO's participation rate of PWD from GS-11 to SES is 6.88%.

*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   No

    b. Cluster GS-11 to SES (PWTD)   Answer   Yes

The USPTO's participation rate of PWTD from GS-11 to SES is 1.62%.

Grade Level Cluster(GS or Alternate Pay Planb)	Total	Reportable Disability		Targeted Disability	
	#	#	%	#	%
Numarical Goal	--	12%		2%	
Grades GS-1 to GS-10	1612	217	13.46	52	3.23
Grades GS-11 to SES	11857	819	6.91	195	1.64

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

The USPTO has designated one Human Resources Specialist to serve as Selective Placement Program (Schedule A) Coordinator. The Schedule A Coordinator reviews all USPTO vacancy announcements and refers qualified Schedule A candidates to selecting officials.

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

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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	8	0	0	Naveen Paul Reasonable Accommodation Program Manager Naveen.Paul@uspto.gov
Section 508 Compliance	3	0	0	mark.reumann@USPTO.G(
Architectural Barriers Act Compliance	1	0	0	Lisa Langrell Branch Chief, Building Management and Lease Administration Branch lisa.langrell@uspto.gov
Processing applications from PWD and PWTD	1	0	0	Belia Dupass Human Resources Specialist Belia.Dupass@uspto.gov
Answering questions from the public about hiring authorities that take disability into account	1	0	0	Belia Dupass Human Resources Specialist Belia.Dupass@uspto.gov
Special Emphasis Program for PWD and PWTD	1	0	0	Glorimar.Maldonado@uspt

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

    Answer   Yes

In FY22, the Agency provided the team responsible for processing requests for Reasonable Accommodations the following training opportunities: August 2022 • FDR Training – Federal Dispute Resolution Conference • Equal Employment Opportunity Commission - Annual Examining Conflicts in Employment Laws (EXCEL) Training Conference September 2022 • USPTO Office of General Law - RA Refresher Training

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: Program Deficiencies In The Disability Program

Section IV: Plan to Recruit and Hire Individuals with Disabilities

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

A. PLAN TO IDENTIFY JOB APPLICATIONS WITH DISABILITIES

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

The Agency has a separate webpage designed to provide information to job applicants with disabilities: https://www.uspto.gov/ jobs/ hiring-people-disabilities. The Agency has also formed relationships with the various disability offices at the universities and colleges from which it regularly recruits students.

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

USPTO leverages all available noncompetitive hiring authorities for applicants with disabilities (Schedule A, 30% or more disabled veteran).

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.

The Agency has a Human Resources Specialist (Selective Placement Program Coordinator, or Schedule A Coordinator) who is dedicated to working with job applicants who apply under special hiring authorities. The Schedule A Coordinator determines eligibility, and forwards qualified applicants with disabilities to the relevant hiring officials. In addition, the Schedule A Coordinator maintains a cache of qualified Schedule A candidates, whom he/she refers for appropriate positions.

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.

<p align="center">Answer   Yes</p>

The Agency provides computer based training annually, including: • A Roadmap to Success: Hiring, Retaining, and Including People with Disabilities • Uniformed Services Employment and Reemployment Rights Act – USERRA • Veterans Employment Training All hiring managers are required to take the above-mentioned computer-based trainings on an annual basis as part of fulfilling OPM's annual training on the policies and procedures necessary for performing their duties within federal guidelines.

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 Agency has already formed relationships with the various disability offices at the universities and colleges from which it

regularly recruits students, and will continue to reach out to additional schools and external disability-related organizations to develop more partnerships. We have established a relationship with the local, Alexandria, Virginia, vocational rehabilitation office. This is the office with jurisdiction over our largest campus. We plan to continue to reach out to career services and disability program coordinators at target area schools to establish a baseline relationship and gauge interest and population.

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   No

    b. New Hires for Permanent Workforce (PWTD)   Answer   Yes

In FY22, 1.65% of new hires to the permanent workforce were PWTDs.

New Hires	Total	Reportable Disability		Targeted Disability	
		Permanent Workforce	Temporary Workforce	Permanent Workforce	Temporary Workforce
	(#)	(%)	(%)	(%)	(%)
% of Total Applicants	3184	11.87	0.00	5.15	0.00
% of Qualified Applicants	2018	11.45	0.00	5.10	0.00
% of New Hires	280	6.43	0.00	4.29	0.00

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

The USPTO has three major MCOs: General Attorneys (0905), Patent functions (1220 series), and IT Management Specialists (2210). In FY22, the majority of external applicants to these positions chose not to identify their disability status. For series 0905, 1224, and 2210, the qualified applicants for permanent positions who did not identify represented 67.82%, 62.07%, and 65.95% of applicants, respectfully. For General Attorneys, PWD and PWTD were hired at a rate lower than the benchmark for the qualified applicant pool. Out of those who answered the disability question, PWD and PWTD represented 13.35% and 3.56% of the qualified applicant pool. PWDs represented 6.67% of the selected applicants and no identified PWTDs were selected. For Patent Examiners (1224), PWD and PWTD were selected below the benchmark for the qualified applicant pool. Out of those who answered the disability question, PWD and PWTD were represented in the qualified applicant pool at 9.06% and 4.58%, respectfully. Out of those who identified their disability status, PWDs and PWTDs were selected at 5.03% and 3.02%, respectfully. For IT specialists, PWDS and PWTDS made up 16.48% and 7.09% of voluntarily identified qualified applicants, respectfully. No identified PWDs were selected.

New Hires to Mission-Critical Occupations	Total	Reportable Disability	Targetable Disability
		New Hires	New Hires
	(#)	(%)	(%)
Numerical Goal	--	12%	2%
0905 GENERAL ATTORNEY	30	6.67	0.00
1220 PATENT ADMINISTRATION	0	0.00	0.00

New Hires to Mission-Critical Occupations	Total	Reportable Disability	Targetable Disability
		New Hires	New Hires
	(#)	(%)	(%)
Numerical Goal	--	12%	2%
1222 PATENT ATTORNEY	7	0.00	0.00
1224 PATENT EXAMINER	199	5.03	3.02
1226 DESIGN PATENT EXAMINER	40	15.00	15.00
2210 INFORMATION TECHNOLOGY MANAGEMENT	4	0.00	0.00

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

Internal promotions for series 0905, 1224, and 2210 were made for GS levels 11 through SES. The relevant applicant pool can be estimated as the GS-9 through GS-15 workforce, which overall is 7.33% PWD and 1.70% PWTD. The relevant applicant pool for series 0905, consisting of GS-13 and GS-14 employees, was 4.45% PWD and 1.03% PWTD. No identified PWDs were in the qualified applicant pool. The relevant applicant pool for series 1224, consisting of GS-14 employees, was 4.58 PWD and 1.22% PWTD. One PWD (0.78%) and no identified PWTDs were in the qualified applicant pool. The relevant applicant pool for series 2210, consisting of GS-9 through GS-15 employees, was 13.71% PWD. PWDs made up 8.81% of the qualified applicant pool. The majority of qualified applicants for internal promotions chose not to identify their disability status. Applicants who did not identify are represented in the qualified applicant poor for series 0905, 1224, and 2210 at 60.67%, 71.43%, and 70.92%, respectfully. The Agency generally hires external applicants for MCOs, not internal applicants. The overwhelming majority of MCOs hired into career ladder positions with full performance levels at the higher grades (e.g., GS-14). Promotions are approved based on performance.

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

The qualified applicant pool for the 0905 series contained no identified PWD or PWTD. The qualified applicant pool for Series 1224 was 2.63% PWD, and no identified PWDs were selected. The qualified applicant pool for series 2210 was 8.81% PWD and 5.26% PWTD, and 1 identified PWTD (4.35%) was selected. The majority of qualified applicants for internal promotions chose not to identify their disability status. Applicants who did not identify are represented in the qualified applicant poor for series 0905, 1224, and 2210 at 60.67%, 71.43%, and 70.92%, respectfully. The Agency generally hires external applicants for MCOs, not internal applicants. The overwhelming majority of MCOs are hired into career ladder positions with full performance levels at the higher grades (e.g., GS-14). Promotions are approved based on performance.

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

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

A. ADVANCEMENT PROGRAM PLAN

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

During FY 2018, the Office of EEO & Diversity constituted a new Disability Working Group, dedicated to identifying barriers to career advancement and reduction of those barriers. The function of this group is being replaced by the new USPTO Diversity, Equity, Inclusion, and Accessibility (DEIA) Council, to be stood up in FY23. The USPTO affinity group, ResponsAbility: USPTO Disability Advocates, which focuses on advocacy and awareness of disability issues and goals, worked with USPTO leadership to promote career advancement of their members. The USPTO has developed stronger hiring manager education focusing on providing managers with the tools they need to implement (or maximize) disability recruitment and hiring strategies. This includes training for aspiring managers. PWDs and PWTDs, like all USPTO employees, are able to take part in the various career development programs offered by the Agency. The competitive opportunities are announced and many of the other programs are open to all employees.

B. CAREER DEVELOPMENT OPPORTUNITES

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

The USPTO has two major career development programs. First, USPTO provides career development detail assignments for employees. Second, USPTO provides an enterprise-wide mentoring program. The mentoring program is open to everyone interested, subject to space constraints in the program. In addition to these two major enterprise efforts, the Enterprise Training Division, and various employee groups host ad hoc training and information sessions. These programs are widely publicized and available to all employees.

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						
Mentoring Programs	642	642	11.52	11.52	2.64	2.64
Training Programs	157	157	8.28	8.28	0.64	0.64
Other Career Development Programs	95	48	17.89	18.75	5.26	6.25
Fellowship Programs						
Detail Programs						
Coaching Programs						

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   Yes

    b. Selections (PWD)   Answer   No

The following courses were reported in each category: Mentoring Programs • USPTO Enterprise Wide Mentoring Program (open to all employees) Training Programs • USPTO Ideal Leader Confidence Course (for SLs and GS 15 Supervisors) • Supervisory Certificate Program (mandatory for supervisors in their first year) Other Career Development Programs • Administrative Professionals Excellence Program (open to GS-5 through GS-12 Technical and Administrative Support Staff) • Emerging Leaders Program (open to non-supervisory employees, excluding patent and trademark examiners, that have worked at the agency for at

least six months) All applicants to the Enterprise Mentoring Program, Administrative Professionals Excellence Program, Ideal Leadership Confidence Course, and Supervisory Certificate Program were selected to participate. The eligible applicant pool for the Emerging Leaders Program is 12.98% PWD, and applicants to the program were 11.11% PWD. For FY22, we did not collect disability status data for all competitive career development programs. OEEOD is collaborating with OHR to improve data collection of disability status for career development programs in place at the Agency using existing data systems and reporting methods.

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   Yes

b. Selections (PWTD)   Answer   No

For FY22, we did not collect disability status data for all competitive career development programs. OEEOD plans is collaborating with OHR to improve data collection of disability status for career development programs in place at the Agency using existing data systems and reporting methods. The following courses were reported in each category: Mentoring Programs • USPTO Enterprise Wide Mentoring Program Training Programs • USPTO Ideal Leader Confidence Course (for SLs and GS 15 Supervisors) • Supervisory Certificate Program (mandatory for supervisors in their first year) Other Career Development Programs • Administrative Professionals Excellence Program • Emerging Leaders Program All applicants to the Enterprise Mentoring Program, Administrative Professionals Excellence Program, Ideal Leadership Confidence Course, and Supervisory Certificate Program were selected to participate. The training programs were open to USPTO supervisors. The Supervisory Certificate Program is a requirement for all supervisors. Of all Officials and managers at the agency, 1.67% are PWTDS. PWTDS applied to and were accepted to training programs at 0.64%. No identified PWTDs applied to or were accepted to the Ideal Leader Confidence Course in FY22.

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

PWDs have received cash awards under $500, $501-$999, $1000-$1999, $2000-2999, $3000-$3999, $4000-$4999, and greater than $5000 at inclusion rates of 19.08, 45.53, 79.94, 14.65, 16.81, 14.65, and 29.40, respectively. Employees without disabilities won cash awards at inclusion rates of 19.44, 56.38, 142.35, 14.98, 16.69, 24.80, and 38.69, respectively. There are triggers for PWDs at all cash award levels. except for the $3000 – $3999 range. PWTDs have received cash awards under $500, $501-$999, $1000-$1999, $2000-$2999, $3000-$3999, $4000-$4999, and greater than $5000 at inclusion rates of 14.58, 46.25, 102.50, 15.83, 18.33, 17.92, and 35.00, respectively. Employees without disabilities won cash awards at inclusion rates of 19.44, 56.38, 142.35, 14.98, 16.69, 24.80, and 38.69, respectively. There are triggers at all award levels except $2000 - $2999 and $3000 - $3999.

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 1 - 10 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 1 - 10 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 1 - 10 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 11 - 20 hours: Awards Given	0	0.00	0.00	0.00	0.00

Time-Off Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Time-Off Awards 11 - 20 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 11 - 20 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 21 - 30 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 31 - 40 Hours: Average Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Awards Given	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Total Hours	0	0.00	0.00	0.00	0.00
Time-Off Awards 41 or more Hours: Average Hours	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: $501 - $999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: $501 - $999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $501 - $999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $1000 - $1999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: $1000 - $1999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $1000 - $1999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $2000 - $2999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: $2000 - $2999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $2000 - $2999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $3000 - $3999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: $3000 - $3999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $3000 - $3999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $4000 - $4999: Awards Given	0	0.00	0.00	0.00	0.00
Cash Awards: $4000 - $4999: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $4000 - $4999: Average Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $5000 or more: Awards Given	0	0.00	0.00	0.00	0.00

Cash Awards	Total (#)	Reportable Disability %	Without Reportable Disability %	Targeted Disability %	Without Targeted Disability %
Cash Awards: $5000 or more: Total Amount	0	0.00	0.00	0.00	0.00
Cash Awards: $5000 or more: Average Amount	0	0.00	0.00	0.00	0.00

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   No

      b. Pay Increases (PWTD)   Answer   No

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

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

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   Yes

            ii. Internal Selections (PWD)   Answer   Yes

      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

Data from USA Staffing were used for this analysis. The relevant applicant pool was defined as the employees in the grade lower than the promotion level (GS-12, 13, 14, and 15). Using the relevant applicant pool as a benchmark, there are triggers for PWDs in the qualified applicant pool at the GS-13, GS-14, GS-15, and SES levels. PWDs were represented in the relevant applicant pool for GS-13. GS-14, GS-15, and SES positions at 10.92, 10.27%, 5.12%, and 5.63%, respectfully. Voluntarily identified PWDs were represented in the qualified applicant pool for GS-13, GS-14, GS-15 and SES at 9.45, 5.82%, 2.11%, and 4.23%, respectfully. Using the qualified applicant pool as a benchmark, there are triggers for PWDs in selections at the GS-13, GS-14, GS-15, and SES levels. One identified PWD was promoted to the GS-13 level, representing 3.23% of selectees. No identified PWDs were promoted to the GS-14, GS-15, or SES levels. The majority of applicants chose not to disclose their disability status. For GS-13, GS-14, GS-15, and SES vacancies, those who did not disclose represented 72.32%, 76.44%, 72.02%, and 76.95%, of applicants, respectfully. Identified applicants only reflect 7, 9, 9, and 3 selections, respectively.

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   Yes

      ii. Internal Selections (PWTD)   Answer   Yes

   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

Data from USA Staffing was used for this analysis, and those who did not answer disability questions are not included. The relevant applicant pool was defined as the employees in the grade lower than the promotion level (GS-12, 13, 14, and 15). Using the relevant applicant pool as a benchmark, there are triggers for PWTDs in the qualified applicant pool at the GS-15 and SES levels. PWTDs were represented in the relevant applicant pool for GS-15 and SES positions at 1.32%, and 1.54%, respectfully. Voluntarily identified PWTDs were represented in the qualified applicant pool for GS-15 and SES at 1.05% and 0.84%, respectfully. Using the qualified applicant pool as a benchmark, there are triggers for PWTD in selections at all levels. PWDs were represented in the qualified applicant pool for GS-13, GS-14, GS-15, and SES at 4.68%, 3.11%, 1.05%, and 0.84%, respectfully. One PWTD was promoted to the GS-13 level, representing 3.23% of selectees. No PWTDs were promoted to the GS-14, GS-15, or SES levels. The majority of applicants chose not to disclose their disability status. For GS-13, GS-14, GS-15, and SES vacancies, those who did not disclose represented 72.32%, 76.44%, 72.02%, and 76.95%, of applicants, respectfully. Identified applicants only reflect 7, 9, 9, and 3 selections, respectively.

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

a. New Hires to SES (PWD)	Answer	Yes
b. New Hires to GS-15 (PWD)	Answer	Yes
c. New Hires to GS-14 (PWD)	Answer	Yes
d. New Hires to GS-13 (PWD)	Answer	No

Participation of PWDs in the qualified applicant pool for GS-14 positions was 14.55%, and 14.29% of the selections were PWDs. Participation of PWDs in the qualified applicant pool for GS-15 positions was 20.59%, and no PWDs were selected for GS-15 positions. Participation of PWDS in the qualified applicant pool for SES positions was 13.64%, and no PWDs were selected for SES positions. Only applicants that responded to the disability question were used to identify these triggers. Those who did not disclose their disability status or did not answer the disability question made up 61.96%, 69.91%, 75.68%, and 65.63% of the qualified applicant pool for GS-13, GS-14, GS-15, and SES positions, respectively. The vast majority of our senior level positions are internal hires due to the subject matter expertise required at the senior levels. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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

Participation of PWTDs in the qualified applicant pool for GS-13 positions was 6.70%, and no PWTDs were selected for GS-13 positions. Participation of PWTDs in the qualified applicant pool for GS-14 positions was 8.18%, and no PWTDs were selected for GS-14 positions. Participation of PWTDs in the qualified applicant pool for GS-15 positions was 5.88%, and no PWTDs were selected for GS-15 positions. Participation of PWTDS in the qualified applicant pool for SES positions was 4.55%, and no PWTDs were selected for SES positions. Only applicants that responded to the disability question were used to identify these triggers. Those who did not disclose their disability status or did not answer the disability question made up 61.96%, 69.91%, 75.68%, and 65.63% of the qualified applicant pool for GS-13, GS-14, GS-15, and SES positions, respectively. The vast majority of our senior level positions are internal hires due to the subject matter expertise required at the senior levels. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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	Yes
ii. Internal Selections (PWD)	Answer	Yes

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

The data table used for this analysis did not provide the relevant applicant pool. It was therefore estimated as GS-15 employees, GS-13 and GS-14 employees, and GS-7/9/11/12 employees for Executives, Managers, and Supervisors, respectfully. PWDs were represented in the relevant applicant pool for Executives, Managers, and Supervisors at 5.63%, 6.17%, and 12.37%, respectfully. PWDs were represented in the qualified applicant pool for Executives, Managers, and Supervisors at 2.88%, 3.41%, and 6.86%, respectfully. No identified PWDs were selected. Those who did not disclose their disability status made up 79.81%, 80.49%, and 76.47% of the qualified applicant pools for executives, managers, and supervisors, respectively.

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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   Yes

        ii. Internal Selections (PWTD)   Answer   Yes

      b. Managers

        i. Qualified Internal Applicants (PWTD)   Answer   Yes

        ii. Internal Selections (PWTD)   Answer   Yes

      c. Supervisors

        i. Qualified Internal Applicants (PWTD)   Answer   Yes

        ii. Internal Selections (PWTD)   Answer   Yes

The data table used for this analysis did not provide the relevant applicant pool. It was therefore estimated as GS-15 employees, GS-13 and GS-14 employees, and GS-7/9/11/12 employees for Executives, Managers, and Supervisors, respectfully. PWTDs were represented in the relevant applicant pool for Executives, Managers, and Supervisors at 1.54%, 1.50%, and 2.63%, respectfully. PWTDs were represented in the qualified applicant pool for Executives, Managers, and Supervisors at 0.96%, 1.14%, and 0.98%, respectfully. No identified PWTDs were selected. Those who did not disclose their disability status made up 79.81%, 80.49%, and 76.47% of the qualified applicant pools for executives, managers, and supervisors, respectively.

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

       a. New Hires for Executives (PWD)   Answer   Yes

       b. New Hires for Managers (PWD)   Answer   No

       c. New Hires for Supervisors (PWD)   Answer   Yes

PWDs were represented in the qualified applicant pool for Executives and Supervisors at 10% and 23.81% respectfully. No PWDs were selected for Executive or Supervisor positions. Only applicants that responded to the disability question were used to identify

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these triggers. Those who did not disclose their disability status made up 59.18%, 65.33%, and 62.96% of the qualified applicant pools for executives, managers, and supervisors, respectively. No voluntarily identified candidates were selected for supervisory positions. The vast majority of our supervisory positions are internal hires due to the subject matter expertise required at the supervisory level. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

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   Yes

   b. New Hires for Managers (PWTD)   Answer   Yes

   c. New Hires for Supervisors (PWTD)   Answer   Yes

PWTDs were represented in the qualified applicant pool for Executives, Managers, and Supervisors at 5%, 6.67%, and 14.29% respectfully. No PWTDs were selected for Executive, Manager, or Supervisor positions. Only applicants that responded to the disability question were used to identify these triggers. Those who did not disclose their disability status made up 59.18%, 65.33%, and 62.96% of the qualified applicant pools for executives, managers, and supervisors, respectively. No voluntarily identified candidates were selected for supervisory positions. The vast majority of our supervisory positions are internal hires due to the subject matter expertise required at the supervisory level. OEEOD plans to continue to encourage the workforce to disclose their disability status in order to improve reporting for internal competitive promotions. Language has been added to vacancy announcements encouraging applicants to report their disability status.

Section VI: Plan to Improve Retention of Persons with Disabilities

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

A. VOLUNTARY AND INVOLUNTARY SEPARATIONS

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

                                                                Answer   Yes

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   Yes

PWDs involuntary separated (were removed) at an inclusion rate of 1.86, compared with persons without disabilities at a rate of 0.80. PWDs voluntarily separated (resigned) at an inclusion rate of 3.72, compared with persons without disabilities at a rate of 2.73.

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00

Seperations	Total #	Reportable Disabilities %	Without Reportable Disabilities %
Permanent Workforce: Removal	120	1.86	0.82
Permanent Workforce: Resignation	373	3.72	2.73
Permanent Workforce: Retirement	213	1.27	1.63
Permanent Workforce: Other Separations	89	1.17	0.63
Permanent Workforce: Total Separations	795	8.02	5.82

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   Yes

       b.Involuntary Separations (PWTD)   Answer   Yes

PWTDs involuntarily separated (were removed) at an inclusion rate of 2.08, compared with persons without disabilities at a rate of 0.80. PWTDs voluntarily separated (resigned) at an inclusion rate of 3.33, compared with persons without disabilities at a rate of 2.73.

Seperations	Total #	Targeted Disabilities %	Without Targeted Disabilities %
Permanent Workforce: Reduction in Force	0	0.00	0.00
Permanent Workforce: Removal	120	2.08	0.88
Permanent Workforce: Resignation	373	3.33	2.80
Permanent Workforce: Retirement	213	1.67	1.60
Permanent Workforce: Other Separations	89	0.00	0.68
Permanent Workforce: Total Separations	795	7.08	5.97

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.

The Agency includes a disability question in the exit interview. OEEOD will receive quarterly reports on the responses from the revamped exit survey in FY23. We have reviewed complaint data, which did not result in the identification of root causes of separations of PWD. The team in charge of processing reasonable accommodation is in the process of conducting an RA retention study to identify and analyze triggers in the area of retention and promotion, which may help shed some light on separations. In addition to analyzing the separation data from the provided workforce data tables for this report, we extracted data from our agency's internal system: • Of the 666 employees who voluntarily separated from the agency in FY22, 7.81% were identified PWDs and 1.80% were identified PWTDs.* • Of the PWDs who voluntarily separated, 69.23% resigned, 19.23% retired, and 11.54% faced the end of their nonpermanent appointment in the agency. • Of all voluntary separations, 3 (0.45%) were disability retirements. None of the employees who separated for this reason identified as a PWD. • Of the 133 employees who involuntarily separated from the agency, 15.04% were identified PWD, and 3.76% were identified PWTD. ** • Of the PWDs who involuntarily separated, 50% were terminated during their probationary period and 20% were removed. *OPM NOA codes 301, 302, 303, 317, and 352 were used for voluntary separations **OPM NOA codes 304, 312, 330, 355, 357, and 385 were used for involuntary separations

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.uspto.gov/about-us/organizational-offices/office-chief-information-officer/section-508-rehabilitation-act

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.uspto.gov/about-us/uspto-locations/accessibility-and-accommodations-uspto Accessibility information is also available at https://www.uspto.gov/using-usptogov/accessibility-uspto-website

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.

They Agency continues to make changes to improve accessibility in all of its facilities, including adding lowered sinks in the restrooms and improving entrances to the buildings. During FY 2019, The USPTO Office of EEO and Diversity reviewed the accessibility of our regional offices located in Denver, Detroit, Dallas, and San Jose.

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.)

In FY 2022, the average time for processing initial requests for reasonable accommodation was approximately 20 days. In FY22, the USPTO received and processed 327 new reasonable accommodation requests. This figure does not include approximately 88 carry-over requests from FY 2021 that were processed and closed in FY 2022 or requests that were re-opened to process extension requests. These carryovers have not all necessarily been closed because many are COVID-19 vaccine-related requests that are in the system pending further guidance from the administration about the vaccine mandate.

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.

Per Agency Administrative Order (AAO) 214-02, requests for accommodation should be processed and implemented within 45 business days of receiving the request and any necessary documentation. Pursuant to the AAO, the average pendency time of a reasonable accommodation (RA) request is approximately 20 days. The RA Program Manager tracks the number of requests by: the type grant or denial; job (series, grade, and Agency component); and processing time. The RA Program Manager continued to lead regular bi-monthly meetings with Agency deciding officials, representatives from the Office of General Law; representatives from the Workforce Management Division, and various staff members to discuss and review pending RA cases, analyze trends, and develop consistent and effective approaches to processing, deciding, and implementing RA requests. The Agency conducts periodic internal RA training/briefing sessions to executives and supervisors on a regular basis. The sessions provide information on what constitutes a disability; the Agency's obligation in accommodating PWD; the supervisor's role in the process; common types of accommodations. The sessions include interactive hypothetical scenarios and discussions to provide examples to participants. Also, the Agency provides RA training to employees as part of its new hire orientation, to new managers as part of the internal Supervisor Certificate Program, and to members of executive leadership as part of the agency's Leadership Forum Conference (held once every 2 years). RA and disability training sessions are also provided, upon request.

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.

In furtherance of the Agency's ongoing initiatives to hire and advance individuals with disabilities, OEEOD led the charge to successfully procure the first Agency-wide contract for personal assistance services (PAS) in May 2020. Additionally, OEEOD submitted a revised Reasonable Accommodation policy including PAS to the EEOC. The policy was approved in May 2020. In FY22, the USPTO received one request for PAS services.

Section VII: EEO Complaint and Findings Data

A. EEO COMPLAINT DATA INVOLVING HARASSMENT

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

   Answer   No

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

   Answer   Yes

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.

The Agency did not have any findings of discrimination alleging harassment based on disability status in FY22.

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   No

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

   Answer   Yes

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

The Agency did not have any findings of discrimination involving a failure to provide a reasonable accommodation in FY22.

Section VIII: Identification and Removal of Barriers

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

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

Answer   Yes

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

Answer   Yes

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

Source of the Trigger:	Workforce Data (if so identify the table)
Specific Workforce Data Table:	Workforce Data Table - B1
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	The Agency's lower than expected participation rate of PWD (7.70%) and PWTD (1.81%) than the federal goals of 12% and 2%, respectively.

STATEMENT OF BARRIER GROUPS:	*Barrier Group*
	People with Disabilities
	People with Targeted Disabilities

Barrier Analysis Process Completed?:	N
Barrier(s) Identified?:	N

STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	**Barrier Name**	**Description of Policy, Procedure, or Practice**

Objective(s) and Dates for EEO Plan					
Date Initiated	**Target Date**	**Sufficient Funding / Staffing?**	**Date Modified**	**Date Completed**	**Objective Description**
10/01/2017	09/30/2023	Yes			Increase the participation rate of PWD/TD to meet the federal goals of 12% and 2%.

Responsible Official(s)		
Title	**Name**	**Standards Address The Plan?**
Diversity Officer	Glorimar Maldonado	Yes

Planned Activities Toward Completion of Objective				
Target Date	**Planned Activities**	**Sufficient Staffing & Funding?**	**Modified Date**	**Completion Date**
09/30/2019	Develop language to include in vacancy announcements that encourage applicants to disclose disability status.	Yes		09/30/2019
09/30/2019	Work with the Office of Human Resources to ensure that this additional language is included in all future vacancy announcements.	Yes		09/30/2019
05/31/2023	Include the Schedule A Coordinator in the new DEIA Council to determine the appropriate next steps.	Yes	09/30/2021	

Planned Activities Toward Completion of Objective				
Target Date	**Planned Activities**	**Sufficient Staffing & Funding?**	**Modified Date**	**Completion Date**
09/30/2023	Conduct annual campaign to encourage the workforce to update their disability status.	Yes	09/30/2021	
12/31/0022	Add disability hiring paths to patent examiner job announcements in USA Jobs	Yes		11/01/2022
Report of Accomplishments				
Fiscal Year	**Accomplishment**			
2022	In FY22, a proposal for a DEIA council was presented by the OEEOD director to the Agency's management council and heads of the Agency. The agency director is committed to establishing a DEIA council by mid-2023.			
2019	The following language will be included in vacancy announcements: "Please consider completing this voluntary survey. The data informs our recruitment and outreach initiatives. We do not use the data to identify specific people and we do not consider this data when making personnel decisions."			
2020	In FY20, plans were put in place for the new Diversity and Inclusion Council, which is set to launch in FY21.			
2021	The DEIA Council is set to launch in FY22. Members of the Diversity Team have finalized the council charter. The following language is included in vacancy announcements at the agency, in an effort to ensure that new employees disclose their disability status: "Please consider completing this voluntary survey. The data informs our recruitment and outreach initiatives. We do not use the data to identify specific people and we do not consider this data when making personnel decisions."			

Source of the Trigger:	Workforce Data (if so identify the table)
Specific Workforce Data Table:	Workforce Data Table - B1
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	PWD and PWTD are being involuntarily separated and are resigning at a higher rate than their participation at the agency, which is not true for persons without disabilities. PWDs and PWTDs involuntary separated (were removed) at inclusion rates of 1.86 and 2.08, respectively, compared with persons without disabilities at a rate of 0.80. PWDs and PWTDs voluntarily separated (resigned) at inclusion rates of 3.72 and 3.33, respectively, compared with persons without disabilities at a rate of 2.73.
STATEMENT OF BARRIER GROUPS:	*Barrier Group* People with Disabilities People with Targeted Disabilities
Barrier Analysis Process Completed?:	N
Barrier(s) Identified?:	N

STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	**Barrier Name**	**Description of Policy, Procedure, or Practice**

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
10/01/2017	09/30/2023	Yes			Increase the retention rate of qualified employees with disabilities

Responsible Official(s)

Title	Name	Standards Address The Plan?
RA Program Manager	Naveen Paul	Yes
Diversity Officer	Glorimar Maldonado	Yes

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2022	Re-develop content on Reasonable Accommodations given to new employees at orientation. Roll-out redeveloped content to new employees.	Yes		09/30/2022
09/30/2023	Design and implement survey to employees who request reasonable accommodations to identify areas to assess the success of the program and improve process.	Yes		

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	Make RA training mandatory for all employees, including supervisors and managers.	Yes		
09/30/2022	Add a disability question to the exit interview along with questions about promotion and career development opportunities	Yes		05/13/2022
09/30/2023	Amplifying messaging on Reasonable Accommodation procedures to further ensure employees' accessibility to the Agency's electronic Accommodation Point system, continue to ensure employees promptly receive the accommodations they are legally entitled to, and continue to assess the effectiveness of the RA program.	Yes		
05/31/2023	Revamp the EEOD web pages to make them more user friendly and customer-service driven	Yes		

Report of Accomplishments	
Fiscal Year	Accomplishment
2022	In FY22, the following branching question was added to the USPTO exit survey: • Do you have a disability? • If you answered "Yes": While you were at the agency, did you ever have an experience where you did not feel included in an agency or activity or program because of your disability? In 2020, only 7 employees took the USPTO exit survey. Between May 13 and June 15, 2022, 52 employees answered the new survey with the disability question. Quarterly reports will be delivered to Business Units in FY23. An outside contractor was hired to help OEEOD revamp the business unit's internal facing web pages. Part of the plan for the revamp is to make services, like requesting a reasonable accommodation, more readily available for visitors to the site.
2019	Plans to develop an exit interview survey were confirmed with the Office of Human Resources.
2020	In FY 20, the OEEOD Director continued to provide RA training to all new hires as part of the Agency's new employee orientation. In FY20, OEEOD staff began work on developing questions to include in a survey for employees who requested reasonable accommodations, and explored options for delivering the survey and capturing the results (i.e. via a link with each RA decision, or an auto-generated email sent to all RA recipients post-decision). Reasonable accommodation training is not yet mandatory at the Agency, but it is strongly encouraged, and training sessions have had high attendance. The USPTO's internal Leadership Forum, held once every two years, includes RA training sessions developed by OEEOD and presented by the RA Program Manager. For this year's Leadership Forum held August 3-6, 2020, three 90-minute sessions were held due to the high level of interest. Approximately 250 managers and supervisors signed-up for and received this training. In October 2019, OEEOD organized and held its first annual Reasonable Accommodation Assistive Technology Fair. This event presented an opportunity for Agency employees to see live demonstrations of IT hardware and software tools offered to those with disabilities to assist in the performance their job duties. Due to the COVID-19 pandemic, OEEOD made plans to substitute a second annual fair with weekly virtual lunch and learn information sessions in October 2020, with topics to include Section 508 compliance, virtual demonstrations of assistive technologies, and reasonable accommodation process.

Report of Accomplishments	
Fiscal Year	**Accomplishment**
2021	In FY21, weekly virtual lunch and learn information sessions were held for NDEAM in October, with topics including Section 508 compliance, assistive technologies, and reasonable accommodations. OEEOD also published an instructional video to the Agency's intranet site that contains instructions on how to access the Accommodation Point system to request a reasonable accommodation. In June 2021, responsAbility held an information session on hearing loss that highlighted available Reasonable Accommodations. Members of OEEOD attended a meeting on agency telephony requirements and used the opportunity to discuss the needs of the deaf community so that the agency can accommodate if phone resources change in the future. These include ensuring that call in numbers are available for all MS teams meetings, adding transcription for voicemails, and allowing Bluetooth connection for hearing aids. Plans to revamp the existing exit interview survey have been confirmed with the Office of Human Resources. Reasonable Accommodation staff are in the process of carrying out an RA retention study to identify and analyze triggers in the area of retention and promotion, which may help shape potential questions. Between October 2019 and July 2021, only 18 individuals filled out the existing exit survey.

Source of the Trigger:	Workforce Data (if so identify the table)
Specific Workforce Data Table:	Workforce Data Table - B4
STATEMENT OF CONDITION THAT WAS A TRIGGER FOR A POTENTIAL BARRIER: Provide a brief narrative describing the condition at issue. How was the condition recognized as a potential barrier?	PWDs and PWTDs are not advancing in their careers as expected. PWDs and PWTDs are represented at 6.88% and 1.62%, respectfully, in the GS-11 through SES levels that encompass 88% of the workforce. In FY22, PWDs and PWTDs were represented in the qualified applicant pool for GS-13 positions at 9.45% and 4.68%, respectfully. One identified PWTD was selected for an internal promotion, representing 3.23% of identified selected applicants. In FY22, there were no identified PWDs or PWTDs selected for internal promotions to GS 14 positions, despite being represented in the qualified applicant pool at 5.82% and 3.11%, respectfully. There were no identified PWDs or PWTDs selected for internal promotions to GS-15 positions, despite being represented in the qualified applicant pool at 2.53% and 1.05%, respectfully. There were no identified PWDs or PWTDs selected for internal promotions to the SES, despite being represented in the qualified applicant pool at 3.36% and 0.84%, respectfully.

STATEMENT OF BARRIER GROUPS:	*Barrier Group*
	People with Disabilities
	People with Targeted Disabilities

Barrier Analysis Process Completed?:	N
Barrier(s) Identified?:	N

STATEMENT OF IDENTIFIED BARRIER: Provide a succinct statement of the agency policy, procedure or practice that has been determined to be the barrier of the undesired condition.	**Barrier Name**	**Description of Policy, Procedure, or Practice**

Objective(s) and Dates for EEO Plan

Date Initiated	Target Date	Sufficient Funding / Staffing?	Date Modified	Date Completed	Objective Description
10/01/2017	09/30/2023	Yes			Increase the participation rate of PWDs at the higher GS-11 through SES levels.
10/01/2017	09/30/2023	Yes			Increase the number of applicants to internal promotions that disclose their disability status.

Responsible Official(s)

Title	Name	Standards Address The Plan?
Diversity Officer	Glorimar Maldonado	Yes

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	Work with leaders of Agency's affinity group, ResponsAbility: USPTO Disability Advocates, focused on PWDs and PWTDs to discuss ways to improve the enterprise-wide mentoring program.	Yes		

Planned Activities Toward Completion of Objective				
Target Date	Planned Activities	Sufficient Staffing & Funding?	Modified Date	Completion Date
09/30/2023	Meet with representatives who are responsible for mentoring program to discuss modifications to programs to help PWDs and PWTDs.	Yes		
09/30/2023	Work with ResponsAbility: USPTO Disability Advocates to help advertise mentoring program, and other career development programs to their members.	Yes		
09/30/2023	Determine why applicants choose not to disclose disability status when applying for an internal promotion.	Yes		
09/30/2023	Develop a plan to use existing data systems to improve data on applicants and hires to internal promotions.	Yes		

Report of Accomplishments	
Fiscal Year	Accomplishment
2019	Only one SES internal hire was made in FY19. The participation rate for PWTD in GS-11 through SES (2.00%) was higher than the PWTD participation rate in the Agency as a whole (1.72%).
2022	In FY22, a proposal for a DEIA council was presented by the OEEOD director to the Agency's management council and heads of the Agency. The agency director is committed to establishing a DEIA council by mid-2023. The Diversity Team has developed a static data table dedicated to displaying data on persons with disabilities at the agency, including breakdown of persons with disabilities by sex and race/national origin, business unit, and grade within the agency. These data confirm that PWDs are represented at higher than expected rates in each GS grade up until GS-14, GS-15, and the SES, where they are represented at lower than expected rates. PWTDs are represented at lower than expected rates at the GS-12, 14, 15, and SES levels. In FY22, 8 people were selected for a promotion the SES, and none have a disability. Persons with disabilities are applying to and being selected for career development programs at a rate higher than their participation in the agency. OEEOD obtained demographic data for participants in the USPTO FY 22 Mentoring Program, Administrative Professionals Excellence Program, and Emerging Leaders Program: • Of the 25 participants in the Emerging Leaders Program, 3, or 12%, were employees with disabilities. • The Enterprise Mentoring Program, which is open to the entire agency, had 642 participants in FY22, 11.52% of which identify as a person with a disability. • The Administrative Professionals Excellence Program had 23 participants, 26% of which identified as PWDs.
2020	Members of responsAbility and employees in the Office of EEO and Diversity have formed a Disability Advisory Council, now under the direction of the Diversity Program Manager. In FY20, plans were made to fold this group into a new Diversity and Inclusion Council, to be launched in FY21. In FY20, there were 11 SES selections, of which 1 new executive (9.09%) is a PWD, and none are PWTDs.
2021	The DEIA Council is set to launch in FY22 and will include a disability/accessibility working group. Members of the Diversity Team have finalized the council charter. OEEOD obtained demographic data for participants in the USPTO FY 21 Mentoring Program, Administrative Professionals Excellence Program, and Emerging Leaders Program. Of the 23 participants in the emerging leaders program, 4, or about 22%, were employees with disabilities. The Enterprise Mentoring Program had 425 participants in FY21, 8.71% of which identify as a person with a disability. The Diversity Team has developed a static data table dedicated to displaying data on persons with disabilities at the agency, including breakdown of persons with disabilities by sex and race/national origin. These data confirm that PWDs are overrepresented in each GS grade up until GS-14, GS-15, and the SES, where they are underrepresented. PWTDs are underrepresented at the GS-11, 12, 14, 15, and SES levels. In FY21, 4 people were selected for a promotion the SES, and none has a disability.

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

N/A

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

In FY19, language was added to vacancy announcements with the goal of increasing the number of responses to a survey indicating disability status. In FY22, USA Staffing data indicate that 21,394 applications were filed for USPTO jobs. Of those, 32.66% disclosed their disability information. In FY22, a disability question was added to the USPTO exit survey as part of a revamp of the survey. In 2020, only 7 employees took the survey. Between May 13 and June 15, 2022, 52 employees answered the new survey with the disability questions. Quarterly reports will be delivered to Business Units in FY23.

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.

The agency director is committed to establishing a DEIA council by mid-2023, which will focus on ways to enhance the USPTO's ability to recruit, retain, and advance the careers of PWDs and PWTDs.