

**UNITED STATES
PATENT AND
TRADEMARK OFFICE**



**UNITED STATES PATENT AND TRADEMARK OFFICE
2020-25 EQUAL OPPORTUNITY EMPLOYMENT PLAN**

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EXECUTIVE SUMMARY

Diversity and Inclusion principles are essential elements in achieving the U.S. Patent and Trademark Office's (USPTO) mission to further effective IP protection for U.S. innovators and entrepreneurs worldwide and encourage the development of strong IP enforcement regimes. Increasing workforce diversity can improve the quality of decisions made by USPTO employees in addressing current and emerging issues. Fostering an inclusive culture that values diversity reduces institutional silos and improves information sharing within the Agency and the federal government. A culture that recognizes and appreciates diversity and inclusion can facilitate effective collaboration, create viable alternatives that lead to greater efficiencies, allow for the emergence of effective solutions, and prevent groupthink through encouraging different viewpoints.

Constant collaboration with interagency and external partners requires the development of cultural understanding and fluency. Such understanding and fluency are formed through an individual's exposure to different experiences and perspectives—such experiences and perspectives are inherent in a diverse workforce, in which each member provides a different perspective, which can be leveraged for improved outcomes. Moreover, diversity fosters innovation and creativity by providing access to a greater variety of approaches, ideas, and perspectives, which can be applied in solving problems, both routine and novel. Leveraging the benefits of diversity and inclusion will assist USPTO in realizing the vision of being the global leader in promoting strong IP partnerships that foster a safe, secure, and prosperous nation.

Collaboration with the Office of Human Resources (OHR)

To accomplish its mission, the USPTO recruits individuals into several major mission-critical areas: Law, Engineering, Information Technology/Cybersecurity and Program Management. USPTO also recruits qualified individuals into a variety of mission-support roles such as human resources, information technology and technical support positions. Moreover, the agency strives to recruit and retain a diverse and inclusive workforce to better serve its stakeholders.

OEEOD, in collaboration with the USPTO's Office of Human Resources (OHR), plans and implements programs, projects and initiatives that educate, engage and diversify the current workforce, to include the Senior Executive Service:

- **Address the shortfall in the number of underrepresented employees¹ at USPTO,** particularly in mission-critical occupations and at the senior executive level, via targeted recruitment and outreach efforts;

¹ Nothing in this plan is meant to authorize or endorse activities that violate anti-discrimination statutes or provide preferences in employment based on race, color, religion, national origin, sex, age or genetic information. Rather, USPTO's efforts are focused on identifying and reducing barriers to equal employment opportunity.

- **Inform the general public and USPTO employees** about the USPTO's mission, current vacancies/application deadlines, and developmental/training opportunities via Listserv messages, social media announcements, webinars and in-person workshops (when possible), as well as individual career consultative services;
- **Leverage noncompetitive and special hiring authorities and flexibilities** to quickly fill gaps in mission-critical areas or hard-to-fill occupations;
- **Continue strengthening and/or establishing mutually beneficial partnerships with national professional organizations linked to USPTO's mission-critical occupations**, including those with a focus on minorities in the areas of law, engineering, accounting and program administration, as well as information technology/cybersecurity;
- **Continue building relationships with minority-serving institutions (MSIs)** and institutions of higher education with schools of engineering, law and public policy;
- **Continue working across the Department of Commerce and the federal government** to learn best and promising practices, share information and leverage resources; and
- **Make every effort to promote data-driven decision-making and transparency** through applicant flow tracking and timely reporting of demographic data and recruitment, hiring and retention rates and practices.

Compliance with Federal Legislation and Presidential Executive Orders

At a minimum, these activities will enable the USPTO to comply with the following Executive Orders and federal statutes:

- [5 USC § 2301](#) "Merit System Principles"
- [E.O. 13171](#) "Hispanic Employment in the Federal Government;"
- [E.O. 13562](#) "Recruiting and Hiring Students and Recent Graduates;"
- [E.O. 13583](#) "Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce;"
- [E.O. 13473](#) "To Authorize Certain Noncompetitive Appointment in the Civil Service for Spouses of Certain Members of the Armed Forces;"
- [E.O. 13518](#) "Employment of Veterans in the Federal Government;"
- [E.O. 13548](#) "Increasing Federal Employment of Individuals With Disabilities;"
- [E.O. 11103](#) "Providing for the Appointment of Former Peace Corps Volunteers to the Civilian Career Services"
- [E.O. 12721](#) "Eligibility of Overseas Employees for Noncompetitive Appointments"
- [Title VII of the Civil Rights Act of 1964;](#)
- [The Age Discrimination in Employment Act of 1967;](#)

- [The Americans With Disabilities Act of 1990 and Rehabilitation Act of 1973;](#)
- [The Equal Pay Act of 1963;](#)
- [The Immigration Reform and Control Act of 1986;](#) and
- [The Genetic Information Nondiscrimination Act of 2008.](#)

Moreover, these activities will help to ensure a more substantive and robust response to the Equal Employment Opportunity Commission (EEOC), the Office of Personnel Management (OPM), and employee and public inquiries into USPTO employment, engagement/retention, and Diversity and Inclusion practices.

EQUAL OPPORTUNITY EMPLOYMENT AT THE USPTO

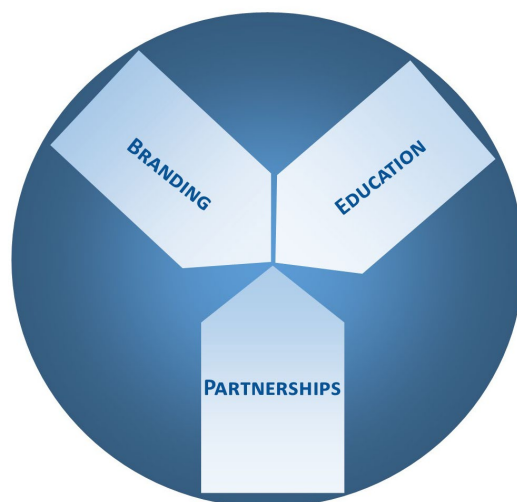
USPTO's workforce interacts with diverse customers each day; therefore, it is imperative that the Agency develop and implement strategies to attract, recruit, hire, train, and retain a flexible and diverse workforce that is capable of accomplishing the mission. To maintain its status as a high-performing organization, USPTO must fully utilize the benefits of diversity and inclusion management to ensure that all employees receive the tools and training necessary to develop the requisite skills, knowledge and cultural competencies to accomplish present and future mission objectives.

The USPTO's Diversity & Inclusion (D&I) Program, a part of the Office of Equal Employment Opportunity and Diversity (OEEOD), manages a variety of initiatives, events and programs to showcase the diversity inherent in the USPTO workforce and contribute to the mission of the Agency. It focuses on:

- **Identifying barriers** to equality of opportunity;
- **Reducing and eliminating such barriers;**
- **Providing guidance and education programs for hiring officials, supervisors and employees** to address soft skill gaps, implicit bias and other issues pertaining to effective and fair personnel management, successful career management and outstanding employee engagement; and
- **Establishing and promoting the Agency** as: 1) a leader in diversity recruitment and Diversity and Inclusion (D&I) practices; and 2) an employer of choice in the federal government.

Tripartite Approach

The D&I Program utilizes an enterprise-wide, three-pronged approach that is both internally and externally focused:



Branding

To ensure a unified approach to recruitment and outreach across USPTO's business units, OEEOD and OHR comply with all branding and marketing standards set by the Office of the Chief Communications Officer (OCCO). In cases where OEEOD- and/or OHR-branded materials do not exist, both offices work collaboratively with OCCO to develop employment-related publications (e.g., fact sheets, brochures, presentations, reports, Listserv messages, etc.) that reflect a unified, 508-compliant look and feel in adherence to the [Plain Writing Act of 2010](#) and the [Americans with Disabilities Act](#).

Moreover, as part of its customer service-driven branding, OEEOD established a diversity@uspto.gov mailbox to interface with the USPTO employees and the public.

Education

OEEOD and OHR also will provide consultative services to business unit heads, hiring officials and supervisors in the ways in which they can work with OEEOD and OHR to identify and remove barriers to equality of employment opportunity, as well as educate them on the special hiring flexibilities for noncompetitive eligible applicants (i.e., applicants with disabilities, veterans, military spouses, etc.).

Moreover, in an effort to address federal hiring myths and applicant deficiencies in USAJOBS usage, resume writing and interviewing, OEEOD, OHR and the Office of Education and Outreach (OEO) (part of OCCO), will participate in a variety of local and national recruitment and outreach career fairs and conference expos as exhibitors (when appropriate). Additionally, OEEOD and/or OHR will conduct, when needed, abbreviated "Find and Apply" discussions to:

- Provide a space for potential candidates to learn about USPTO career opportunities, address individual questions on how to find and apply for USPTO vacancies and student/developmental programs;
- Describe, in detail, how to best utilize and leverage USAJOBS and understand the application process to make it easier and faster for candidates to apply to USPTO vacancies (to include how to read and understand a vacancy announcement and apply to the appropriate grade levels for their education and skillsets); and
- Identify issues that adversely impact employment opportunities and allow USPTO staff to highlight examples of hiring flexibilities such as the Veterans Recruitment Authority, Schedule A and Pathways.

Employee Training

To address parity in the SES and prepare diverse GS-15 employees to enter this leadership stratum, OEEOD and OHR each year will plan and implement an SES Lunch and Learn Series to

provide information on the SES application process, with an emphasis on Executive Core Qualifications (ECQ) writing.

Moreover, each year, OEEOD will continue to provide a swath of learning opportunities on the topics of implicit/unconscious bias, the multigenerational workplace, Schedule A, alternative dispute resolution, reasonable accommodation, EEO, diversity principles, gender disparity and equality, and more.

Affirmative Employment & Special Emphasis Programs (SEP)

The USPTO places great emphasis on its Diversity Program, specifically its Affirmative Employment & Special Emphasis Programs (SEP) area of oversight, with the understanding that enhanced education and outreach centered on various demographic groups would enhance employee engagement, address cultural competency shortfalls, and build a more collegial environment. Efforts in this area include management of the Agency's Voluntary Employee Program—to include its 18 Affinity Groups—and Executive Advisor Program; a weekly newsletter; quarterly meetings with Affinity Group leaders; reference materials for new Affinity Group leaders; collateral "flagship" events led by Affinity Groups to recognize SEP monthly observances; and the Agency's annual Community Day and International Food Sample Festival.

Inclusion & Engagement Efforts

In 2019 the USPTO Diversity Program launched its *Diversity Download Podcast* to: 1) provide a means whereby remote workers could participate in D&I initiatives and build community; and 2) explore various topics and aspects of Diversity and Inclusion through informative, entertaining, and relatable stories and segments to help USPTO employees understand what Diversity is, and how to build better, stronger relationships with others. OEEOD will continue to develop additional seasons, interviewing guests from across USPTO, the federal government and the IP and STEM sectors.

Additionally, in April 2020, the USPTO Diversity Program launched the Engagement in the Time of Telework Initiative, a collaborative effort between the Diversity Program and VEO leaders, in which subcommittees plan and implement a variety of weekly online engagement activities designed to continue building camaraderie and community USPTO-wide. The Diversity Program will continue managing this initiative indefinitely to better foster a culture of inclusivity and belonging.

Partnerships

USPTO has established many partnerships with law schools, schools of engineering, minority-serving institutions (MSIs), national minority professional organizations, and other organizations whose constituencies are made up of noncompetitive eligibles, federal employees, students and young professionals, to include students at the K-12 levels. A list of organizations and colleges/universities may be found in Appendices B and C.

Additionally, the USPTO will continue to strengthen its partnerships with other Department of Commerce bureaus, federal agencies, foreign governments and organizations in the IP and STEM sectors.

Through these partnerships with USPTO's peers and competitors, the most sought-after employers in the country—particularly in the IP and technology sectors—OEEOD, OEO and OHR are able to strengthen the agency's brand as a federal employer of choice, educate constituent groups about the USPTO's mission and job opportunities, particularly in the areas of intellectual property and the federal hiring process, and establish/enhance education-to-career pathways.

APPENDICES

APPENDIX A: EDUCATIONAL MATERIALS

The OEEOD Diversity Program has a variety of electronic materials available for dissemination:

- Federal Jobs by College Major
- ABCs of Schedule A for Applicants with Disabilities: Tips for Getting Federal Jobs
- Veterans' Preference: FAQs
- Veterans' Hiring Authorities: FAQs
- USPTO Toolkit for Establishing Affinity Groups

All publications are 508 compliant and in the public domain.

Additional publications to be released by OEEOD in 2021 include:

- Diversity at the USPTO
- Diversity@USPTO Handshake Card
- Voluntary Employee Organizations at the USPTO
- USPTO Affinity Group Handbook for New Leaders
- Fact Sheet: Common Terms in Federal Hiring
- Fact Sheet: Federal Hiring Myths
- Fact Sheet: Federal Resumes
- Fact Sheet: Portfolios

OEEOD will continue adding to its repository as needed.

APPENDIX B: USPTO PARTNER ORGANIZATIONS

National Professional, Federal and USPTO Employee Organizations

African American/Black

Blacks in Government (BIG)
Caribbean Intellectual Property Association (CIPA)
National Society of Black Engineers (NSBE)
National Black MBA Association
Thurgood Marshall College Fund
White House Initiative on Historically Black Colleges and Universities (WHIHBCU)

Hispanic/Latino

Hispanic Association of Colleges and Universities (HACU)
Hispanics in Government (HiGov)
League of United Latin American Citizens (LULAC)
National Association of Hispanic Federal Executives (NAHFE)
National Council of Hispanic Employment Program Managers (NCHEPM)
Prospanica
Prospanica – Washington, D.C. Chapter
Society of Hispanic Professional Engineers (SHPE)
White House Initiative on Educational Excellence for Hispanics (WHIEEH)

Asian American/Pacific Islander

Asian American Government Executive Network
Asian Pacific American Network (APANET)
Asian MBA
Asian MBA International
Bangladeshi-American Intellectual Property Organization (BAIPO)
Federal Asian Pacific American Council (FAPAC)
International Leadership Fund
Korean American Intellectual Property Organization (KAIPO)
National Association of Asian MBAs
White House Initiative on Asian American and Pacific Islanders (WHIAAPI)

American Indian/Alaska Native

Society of American Indian Government Employees (SAIGE)
White House Initiative on American Indian and Alaska Native Education

Disability

Bender, Inc.
Broad Futures
Incight
responsAbility at the USPTO
U.S. Business and Leadership Network
Wounded Warrior Project

Lesbian, Gay, Bisexual, Transgender (LGBT)

Lambda PTO
Modern Military Association of America
National LBGT Bar Association
National LGBT Chamber of Commerce
National Organization of Gay and Lesbian Scientists and Technical Professionals
Out and Equal Workplace Advocates
Pride in Federal Service

Women and Senior Executives

Chief Human Capital Officer (CHCO) Council
Executive Women in Government
Federally Employed Women (FEW)
Senior Executive Association (SEA)
Supervisory Patent Examiners-Classifiers Organization (SPECO)
USPTO Network of Executive Women (USPTO-NEW)
Women in Science and Engineering (WiSE)
Women in Technology and Science at the Rocky Mountain Regional Office (WiTS)

Veterans

Disabled American Veterans
Feds Hire Vets
Student Veterans of America
VA for Vets
USPTO Military Association (UMA)
Wounded Warrior Project

Other Noncompetitive Eligibles

Department of State – The Network (for Eligible Foreign Service Family Members)
Peace Corps
Americorps VISTA

Additional Resource Groups

American Muslim and Arabic Cultural Association (AMACA)
American Romanian Cultural Society (ARCS)
C.O.D.E. - Club for Open Data Enthusiasts
Intellectual Property Society of Iranian Americans (IPSIA)
Society of Ethiopian American Engineers and Scientists (SEAES)

APPENDIX C: INSTITUTIONS OF HIGHER EDUCATION

The institutions of higher education listed below have large populations of the most underrepresented groups in the USPTO workforce. In compliance with federal laws and Presidential Executive Orders, OEEOD ensures outreach to all minority groups (including Historically Black Colleges and Universities and Tribal Colleges and Universities), with particular emphasis on women, Hispanics and Individuals/veterans with disabilities to ensure equal employment opportunity in the areas of hiring, retention, and career development.

Hispanic-Serving Institutions (HSIs)

American University of Puerto Rico	Mount Saint Mary's University
Arizona State University	New Mexico State University
California State (Cal State) University System	Texas A&M University
City University of New York (CUNY) John Jay	University of Arizona
College of Criminal Justice	University of California (UC) System
Florida International University	University of Puerto Rico (UPR) System
InterAmerican University of Puerto Rico	University of Texas (UT) System

Institutions for Students with Special Needs

American University	Mercyhurst University
Beacon College	Misericordia University
Bellevue Community College	Rochester Institute of Technology
Daemen College	Southern Illinois University – Carbondale
DePaul University	University of Arizona - Tucson
Drexel University	University of Connecticut
Gallaudet University	University of Denver
Hofstra University	University of Iowa
Landmark College	West Virginia Wesleyan College
Marist College	
Marshall University	

Women's Colleges and Universities

Agnes Scott College	Scripps College
Barnard College	Smith College
Bryn Mawr College	Spellman College
Mount Holyoke College	Wellesley College

Additional Institutions of Higher Education

The list below may not include USPTO employee alma maters.

Washington-DC Area (to include greater Maryland and Virginia)

American University
Gallaudet University
George Mason University
Georgetown University
Howard University
Johns Hopkins University

The George Washington University
University of Maryland (UM) System
University of Virginia (System)
Virginia State University
Virginia Tech
William and Mary

USPTO Regions (Denver, Detroit, Silicon Valley)*Denver, CO*

Colorado State University
University of Denver
University of Colorado (system)

Detroit, MI

University of Detroit
University of Michigan (system)
Wayne State University

Ivy League

Brown University
Carnegie Mellon University
Columbia University
Cornell University
Dartmouth College
Harvard University
University of Pennsylvania
Princeton University
Yale University
Massachusetts institute of Technology
Duke University
Northwestern University
Tufts University

Silicon Valley, CA

California State (Cal State) University System
San Jose State University
Stanford University
University of California (UC) System

APPENDIX D: CONTACT INFORMATION

USPTO Office of Equal Employment Opportunity & Diversity

Main Line: 571-272-8292

E-mail: OCR@USPTO.gov

USPTO Diversity Program

Main Line: 571-272-8292

E-mail: Diversity@USPTO.gov

USPTO Office of Human Resources

Main Line: 571-272-6000

E-mail: HumanResources_USPTO@uspto.gov