

GAO

Report to the Chairman, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, Committee on Homeland Security and Governmental Affairs, U.S. Senate

May 2012

DISABILITY EMPLOYMENT

Further Action Needed to Oversee Efforts to Meet Federal Government Hiring Goals



G A O

Accountability * Integrity * Reliability

Highlights of [GAO-12-568](#), a report to the Chairman, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, Committee on Homeland Security and Governmental Affairs, U.S. Senate

Why GAO Did This Study

In July 2010, the president signed Executive Order 13548 committing the federal government to become a model employer of individuals with disabilities and assigned primary oversight responsibilities to OPM and Labor. According to OPM, the federal government is not on track to meet the goals of the executive order, which committed the federal government to hire 100,000 workers with disabilities over the next 5 years. GAO was asked to examine the efforts that (1) OPM and Labor have made in overseeing federal efforts to implement the executive order; and (2) selected agencies have taken to implement the executive order and to adopt leading practices for hiring and retaining employees with disabilities. To conduct this work, GAO reviewed relevant agency documents and interviewed appropriate agency officials. GAO conducted case studies at Education, SSA, VA, and OMB.

What GAO Recommends

GAO recommends that OPM:

- (1) incorporate information about plan deficiencies into its required regular reporting to the president on implementing the executive order and inform agencies about this process;
- (2) expedite the development of the mandatory training programs required by the executive order; and
- (3) assess the accuracy of the data used to measure progress toward the executive order's goals and, if needed, explore options for improving its ability to measure the population of federal employees with disabilities, including strategies for encouraging employees to voluntarily disclose disability status.

OPM agreed with GAO's recommendations.

View [GAO-12-568](#). For more information, contact Yvonne D. Jones at (202) 512-2717 or JonesY@gao.gov; or Daniel Bertoni at (202) 512-7215 or BertoniD@gao.gov.

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What GAO Found

The Office of Personnel Management (OPM) and the Department of Labor (Labor) have taken steps to implement the executive order and help agencies recruit, hire, and retain more employees with disabilities. OPM provided guidance to help agencies develop disability hiring plans and reviewed the 66 plans submitted. OPM identified deficiencies in most of the plans. For example, though 40 of 66 agencies included a process for increasing the use of a special hiring authority to increase the hiring of people with disabilities, 59 agencies did not meet all of OPM's review criteria, and 32 agencies had not addressed plan deficiencies as of April 2012. In response to executive order reporting requirements, OPM officials said they had briefed the White House on issues related to implementation, but they did not provide information on deficiencies in all plans. While the order does not specify what information these reports should include beyond addressing progress, providing information on deficiencies would enable the White House to hold agencies accountable. OPM is still developing the mandatory training programs for officials on the employment of individuals with disabilities, as required by the executive order. Several elective training efforts exist to help agencies hire and retain employees with disabilities, but agency officials said that more information would help them better use available tools. To track and measure progress towards meeting the executive order's goals, OPM relies on employees to voluntarily disclose a disability. Yet, agency officials, including OPM's, are concerned about the quality of the data. For example, agency officials noted that people may not disclose their disability due to concerns about how the information may be used. Without quality data, agencies may be challenged to effectively implement and assess the impact of their disability hiring plans.

The Department of Education (Education), Social Security Administration (SSA), Office of Management and Budget (OMB), and Department of Veterans Affairs (VA) submitted disability hiring plans, and have taken steps to implement leading practices for increasing employment of individuals with disabilities, such as demonstrating top leadership commitment. The executive order provided SSA, VA, and Education an opportunity to further develop existing written plans. However, officials at these agencies cited funding constraints as a potential obstacle to hiring more employees with disabilities. In terms of leading practices, all four agencies have communicated their commitment to hiring and retaining individuals with disabilities and coordinated within or across other agencies to improve their recruitment and retention efforts. For example, each agency has a single point of contact to help ensure that employees with disabilities have access to information that is comparable to that provided to those without disabilities, and for overseeing activities related to hiring and retaining employees with disabilities. In addition, VA holds senior managers accountable for meeting hiring goals by including targets in their contracts. Each agency requires training for managers and supervisors on procedures for hiring individuals with disabilities, and VA further requires that all employees receive training on the legal rights of individuals with disabilities. Education, SSA, and VA rely on centralized funding accounts to pay for reasonable accommodations.

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Abbreviations

CHCO	Chief Human Capital Officer
EEOC	Equal Employment Opportunity Commission
FECA	Federal Employees' Compensation Act
HR	Human Resources
MAX	MAX Information System
MD-715	Management Directive 715
OMB	Office of Management and Budget
OPM	Office of Personnel Management
OWCP	Office of Workers' Compensation Programs
POWER	Protecting Our Workers and Ensuring Reemployment
SF-256	Standard Form 256, Self-Identification of Disability
SSA	Social Security Administration
VA	Department of Veterans Affairs

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G A O

Accountability * Integrity * Reliability

United States Government Accountability Office
Washington, DC 20548

May 25, 2012

The Honorable Daniel K. Akaka
Chairman
Subcommittee on Oversight of Government Management,
the Federal Workforce, and the District of Columbia
Committee on Homeland Security and Governmental Affairs
United States Senate

Dear Mr. Chairman:

Section 501 of the Rehabilitation Act of 1973, as amended (Rehabilitation Act), requires federal agencies to develop affirmative action program plans for hiring, placement, and advancement of people with disabilities, as well as to ensure employment nondiscrimination and reasonable accommodation.¹ To encourage the federal government to become a model employer of individuals with disabilities through effective recruitment, hiring, and retention efforts, Executive Order 13548 was issued in July 2010.² This executive order called for increasing the number of individuals with disabilities in the federal government through the hiring of 100,000 individuals with disabilities over the next 5 years and through greater efforts to retain federal workers with disabilities, including ensuring the return to work of individuals injured on the job. According to draft data from the Office of Personnel Management (OPM), the government is not on track to meet the goals of the executive order, having hired approximately 20,000 employees with disabilities during fiscal years 2010 and 2011; however, as discussed later in this report, we were unable to verify these data.

Because of concerns about the federal government's ability to meet the goals set out by Executive Order 13548, you asked us to assess the efforts that (1) OPM and the Department of Labor (Labor) have made in overseeing the implementation of the executive order across the federal government, and (2) selected agencies have taken to implement the executive order and to adopt leading practices for hiring and retaining

¹Section 501 of the Rehabilitation Act of 1973, as amended, is codified at 29 U.S.C. §791.

²Exec. Order No. 13548, *Increasing Federal Employment of Individuals with Disabilities*, 75 Fed. Reg. 45039 (July 30, 2010).

employees with disabilities. To assess OPM and Labor's oversight efforts, we examined relevant documents from OPM and Labor, including OPM's guidance to federal agencies for implementing the executive order, agency plans for hiring and employing people with disabilities, and OPM's review of these plans. We also interviewed key agency officials at OPM, Labor, and other agencies cited in the executive order such as the Equal Employment Opportunity Commission (EEOC) and the Office of Management and Budget (OMB).³ We also interviewed advocates for individuals with disabilities from the American Association of People with Disabilities, the National Council on Disabilities, and the National Disability Rights Network to obtain their opinions on the executive order. To determine how selected agencies are implementing the executive order and leading practices, we focused our review on four federal agencies: (1) the Department of Education (Education), (2) the Social Security Administration (SSA), (3) the Department of Veterans Affairs (VA), and (4) OMB. We selected this nongeneralizable sample among many agencies within the federal government to provide a cross section for review. Education, SSA, and VA have programs with missions and goals related to assisting people with disabilities and OMB is specifically cited in the executive order. We developed and administered a structured questionnaire, and conducted follow-up interviews with agency officials. We also reviewed agency specific disability hiring plans and other documents related to hiring, reasonable accommodation policies, and strategic planning efforts to better understand their experiences with hiring and retaining employees with disabilities.

We conducted this performance audit from January 2011 to May 2012 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

³EEOC has significant responsibilities with regard to overseeing federal agency equal employment opportunity laws. As such, EEOC plays a significant role in ensuring that federal agencies identify barriers to equal employment opportunity and actions to mitigate those barriers for individuals with disabilities. While EEOC was not given any new responsibilities in the executive order, it has provided technical assistance and conducted training for agencies implementing the executive order.

Background

Under the Rehabilitation Act, a person is considered to have a disability if the individual has a physical or mental impairment that substantially limits one or more major life activities.⁴ Existing federal efforts are intended to promote the employment of individuals with disabilities in the federal workforce and help agencies carry out their responsibilities under the Rehabilitation Act. For example, federal statutes and regulations provide special hiring authorities for people with disabilities. These include Schedule A excepted service hiring authority—which permits the noncompetitive appointment of qualified individuals with intellectual, severe physical, or psychiatric disabilities without posting and publicizing the position⁵—and appointments and noncompetitive conversion for veterans who are 30 percent or more disabled.⁶ To qualify for a Schedule A appointment, an applicant must generally provide proof of disability and a certification of job readiness.⁷ Proof of disability can come from a number of sources, including a licensed medical professional, or a state agency that issues or provides disability benefits. The proof of disability document does not need to detail the applicant’s medical history or need for an accommodation.

⁴A person is also considered to have a disability for purposes of the Rehabilitation Act if the person has a record of such an impairment or is regarded as having such an impairment. 29 U.S.C. § 705(9)(B), § 705(20)(B), and 42 U.S.C. § 12102(1).

⁵5 C.F.R. § 213.3102(u). Under its authority to except positions from competitive examination requirements, OPM has established several categories (or schedules) of excepted service positions. Schedule A authorizes a number of different excepted service appointments for positions that are not of a confidential or policy determining character for which it is impractical to use traditional competitive hiring procedures. In addition to the specific authority noted above, Schedule A also includes the appointment of attorneys and chaplains.

⁶5 U.S.C. § 3112 provides authority for the noncompetitive appointment and conversion to career employment of disabled veterans with compensable service-connected disabilities of 30 percent or more.

⁷OPM has recently proposed eliminating the requirement that an applicant supply a certification of job readiness under this authority. Under the proposed regulations, the agency determination of job readiness may be based upon any relevant work, educational, or other experience. OPM is also proposing a change in terminology in 5 C.F.R. § 213.3102(u), substituting “intellectual disability” for “mental retardation.” 77 Fed. Reg. 6022 (Feb. 7, 2012). We are using the proposed terminology when referring to this authority.

Executive Order 13548 committed the federal government to many of the goals of an executive order issued a decade earlier,⁸ but went further by requiring federal agencies to take certain actions. For example, Executive Order 13548 requires federal agencies to develop plans for hiring and retaining employees with disabilities and to designate a senior-level official to be accountable for meeting the goals of the order and to develop and implement the agency’s plan. In addition, OPM and Labor have oversight responsibilities to ensure the successful implementation of the executive order (see table 1).

Table 1: Key Responsibilities of OPM and Labor in Implementing the 2010 Executive Order

Responsible agency	Key responsibilities
OPM ^a	Design model recruitment and hiring strategies for agencies.
	Develop mandatory training programs for human resource officials and hiring managers.
	Identify strategies for retaining federal workers with disabilities.
	Assist agencies with the development and implementation of their plans.
	Approve agency plans (the executive order provides that agency plans are subject to OPM and OMB approval, as appropriate.)
	Assist agencies in implementing strategies for retaining federal workers with disabilities.
	Implement a system for reporting regularly to the president, heads of agencies, and public on agencies’ progress in implementing their plans and the executive order’s objectives.
	Compile and post on its website governmentwide statistics on the hiring of persons with disabilities.
	Review the effectiveness of the definition of targeted disability in the Standard Form 256.
Labor ^b	Pursue innovative reemployment strategies and develop policies, procedures, and structures that foster improved return-to-work outcomes.
	Pursue overall reform of the Federal Employees’ Compensation Act (FECA) system.

⁸Exec. Order No. 13163, *Increasing the Opportunity for Individuals with Disabilities To Be Employed in the Federal Government*, 65 Fed. Reg. 46563 (July 26, 2000). According to the 2010 executive order, few steps were taken toward implementing the 2000 executive order.

Responsible agency	Key responsibilities
	Propose specific outcome measures and targets by which each agency's progress in carrying out return-to-work and FECA claims processing efforts can be assessed.

Source: GAO analysis of the 2010 executive order.

⁹As noted in the executive order, OPM was directed to consult with the Secretary of Labor, the Chair of EEOC, and the Director of OMB in meeting some of its responsibilities.

^bAs noted in the executive order, Labor was to consult with OPM on some of its responsibilities.

For the purposes of determining agency progress in the employment of people with disabilities and setting targeted goals, the federal government tracks the number of individuals with disabilities in the workforce through OPM's Standard Form 256, Self-Disclosure of Disability (SF-256). Federal employees voluntarily submit this form to disclose that they have a disability, as defined by the Rehabilitation Act. For reporting purposes, disabilities are separated into two major categories: Targeted and Other Disabilities. Targeted disabilities, generally considered to be more severe, include such conditions as total deafness, complete paralysis, and psychiatric disabilities. Other disabilities include such conditions as partial hearing or vision loss, gastrointestinal disorders, and learning disabilities.

Further, Labor is given responsibilities in the executive order to improve efforts to help employees who sustain work-related injuries and illnesses return to work. In July 2010, the Protecting Our Workers and Ensuring Reemployment (POWER) Initiative was established, led by Labor.⁹ This initiative aims to improve agency return-to-work outcomes by setting performance targets, collecting and analyzing injury and illness data, and prioritizing safety and health management programs that have proven effective in the past.

The executive order also requires Labor to pursue reform of the Federal Employees' Compensation Act (FECA) system. FECA provides benefits to federal employees who sustain injuries or illnesses while performing their federal duties.¹⁰ The FECA program covers over 2.7 million civilian federal and postal employees in more than 70 agencies, providing wage-loss compensation and payments for medical treatment. Labor's Office of

⁹Memorandum: *The Presidential POWER Initiative: Protecting Our Workers and Ensuring Reemployment*, 75 Fed. Reg. 43029 (July 22, 2010).

¹⁰5 U.S.C. §8101, et seq.

Workers' Compensation Programs (OWCP) reviews FECA claims and makes decisions on eligibility and payments.¹¹

We have completed a number of reviews that have identified steps that agencies could take to provide equal employment opportunity to qualified individuals with disabilities in the federal workforce. In July 2010, we held a forum that identified barriers to the federal employment of people with disabilities and leading practices to overcome these barriers.¹²

Participants said that the most significant barrier keeping people with disabilities from the workplace is attitudinal and identified eight leading practices that agencies could implement to help the federal government become a model employer:

- (1) top leadership commitment;
- (2) accountability, including goals to help guide and sustain efforts;
- (3) regular surveying of the workforce on disability issues;
- (4) better coordination within and across agencies;
- (5) training for staff at all levels to disseminate leading practices throughout the agency;
- (6) career development opportunities inclusive of people with disabilities;
- (7) a flexible work environment; and
- (8) centralized funding at the agency level for reasonable accommodations.

¹¹Currently, there are two bills in Congress aiming to address FECA reform, one in the House of Representatives and one in the U.S. Senate. H.R. 2465, the *Federal Workers' Compensation Modernization and Improvement Act*, which passed the full House of Representatives in November 2011, and S.1789, the *21st Century Postal Service Act of 2011*, which passed the full Senate in April 2012.

¹²GAO, *Highlights of a Forum: Participant-Identified Leading Practices that Could Increase the Employment of Individuals with Disabilities in the Federal Workforce*, [GAO-11-81SP](#) (Washington, D.C.: Oct. 5, 2010).

OPM and Labor Have Taken Steps to Implement the Executive Order, but Further Action Is Needed to Meet Hiring Goals

OPM Helped Agencies Develop Plans to Employ More Individuals with Disabilities, Yet Many Plans Lacked Required Elements and Have Not Been Corrected

OPM, in consultation with EEOC, OMB, and Labor, issued a memorandum in November 2010 to heads of executive departments and agencies outlining the key requirements of the executive order and what elements must be included in agency disability hiring plans. These elements include listing the name of the senior-level official to be held accountable for meeting the goals of the executive order and describing how the agency will hire individuals with disabilities at all grade levels and in various job occupations. The memorandum also described strategies that agencies could take to become model employers of people with disabilities, such as reviewing all recruitment materials to ensure accessibility for people with disabilities. To help implement the strategies, OPM contracted in December 2010 with a private firm to recruit and to manage a list of Schedule A-certified individuals from which federal agencies can hire.¹³

OPM received 66 agency plans for promoting the employment of individuals with disabilities, representing over 99 percent of the federal civilian executive branch workforce.¹⁴ OPM officials reviewed all the

¹³The firm adds an average of 30 to 50 individuals to the list each month, according to OPM. OPM includes the resumes of these individuals in a database that federal agencies can search using variables such as an individual's expertise and desired work location.

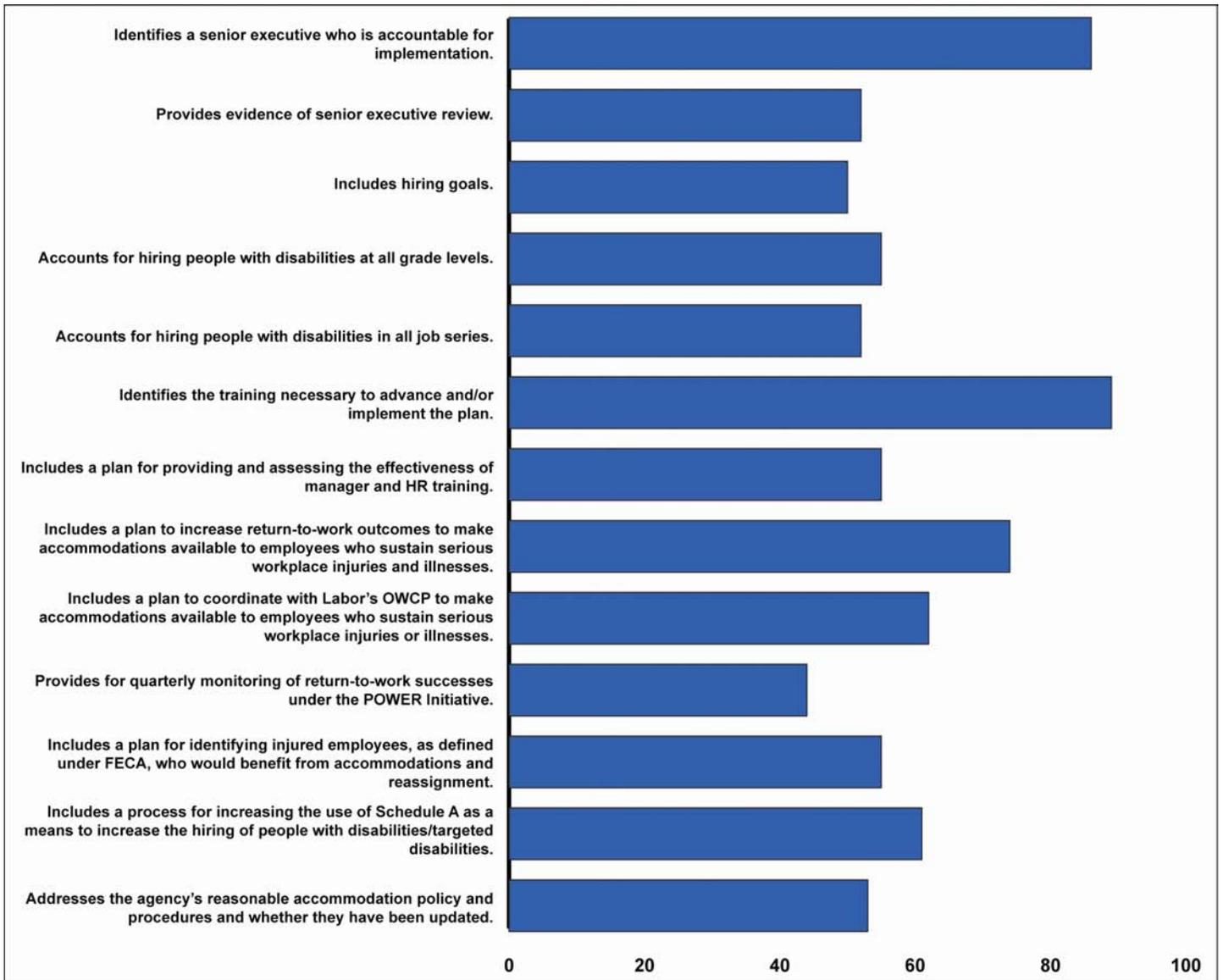
¹⁴OPM required and received plans from 50 agencies. Other agencies were exempt from the requirement to submit a plan because they met certain criteria, such as having fewer than 200 employees and not being actively engaged in hiring. Sixteen of these exempted agencies submitted plans to OPM for review and the results are included in our analysis. Another 4 agencies submitted plans that were excluded from our analysis because they are subcomponents of a department or office that also submitted a plan. The 99 percent estimate excludes intelligence agencies, the Postal Service, the Tennessee Valley Authority, and other agencies for which employment data are unavailable through OPM's online database of statistical information about the federal civilian workforce.

plans, recording whether they met criteria developed by OPM based on the executive order and its model strategies memorandum.¹⁵ OPM also identified and informed agencies about innovative ideas included in plans.

In reviewing the plans, OPM found that many agency plans did not meet one or more of its review criteria (see fig. 1). For example, OPM's review found that 29 of the 66 agency plans did not include numerical goals for the hiring of people with disabilities. OPM also found that 9 of the 66 agency plans did not identify a senior-level official responsible for the development and implementation of the plan. Finally, only 7 of the 66 plans met all of the criteria; over half of the plans met 8 or fewer of the 13 criteria. However, OPM expected agencies to begin implementing their plans immediately, regardless of any unaddressed deficiencies.

¹⁵Labor officials also reviewed agency plans, focusing their review on the FECA component, and in particular those 14 agencies with a statistically significant volume of serious injury claims, or generally those agencies having an average of 50 or more new claims annually. According to the executive order, agency plans were to be developed in consultation with and, as appropriate, subject to approval of OPM and OMB. According to OMB officials, OPM reviewed the plans and discussed the results of the review with OMB officials.

Figure 1: Percentage of Agency Plans That Met OPM’s Criteria during Initial Review



Source: OPM.
 Note: n=66.

Agencies met some criteria more successfully than others. For example, OPM found that 40 of the 66 agency plans included a process for increasing the use of Schedule A to increase the hiring of people with disabilities. In contrast, 29 of the 66 agency plans provided for the

quarterly monitoring of the rate at which employees injured on the job successfully return to work.

OPM provided agencies with written feedback on plan deficiencies and strongly encouraged agencies to address them numerous times beginning in June 2011. However, 32 out of the 59 agencies with deficiencies in their plans had not addressed them as of April 2012. Specifically, in June 2011, OPM provided agencies with access to reviews of their plans, which identified deficiencies, through OMB's Max Information System (MAX).¹⁶ According to OPM, in July 2011, a White House official told agency senior executives that they were required to address deficiencies in their plans. In October and November 2011, OPM provided agencies with a list of the deficiencies identified in their plans, and asked agencies to determine how their plans could be improved. In December 2011, OPM again told agencies they were strongly encouraged to review and address plan deficiencies and provided agencies with several examples of plans that met all of the criteria.

Though the executive order does not specifically authorize OPM to require agencies to address plan deficiencies, it calls for OPM to regularly report on agencies' progress in implementing their plans to the White House and others. In response to the executive order's reporting requirement, OPM officials told us that they had briefed White House officials on issues related to agencies' implementation of the executive order, but did not provide information on the deficiencies in all of the agency plans. In addition, OPM does not think that the federal government is on target to achieve the goals set in the executive order. While the executive order did not provide additional detail as to what information should be reported, providing information on the extent to which agencies' plans have met OPM's criteria would better enable the White House to hold agencies accountable for addressing plan deficiencies.

¹⁶MAX is a federal online resource used to collect, validate, analyze, model, and publish information relating to government-wide management and budgeting activities. It can also be used as an information sharing and communication portal between government organizations. OPM used MAX to allow agencies to access candidates to the Chief Human Capital Officer shared list of people with disabilities and enable agencies to share information on disability hiring.

OPM Has Yet to Fully Develop the Required Mandatory Training Programs

In addition to reviewing agency plans, the executive order required OPM to develop mandatory training programs on the employment of people with disabilities for both human resources personnel and hiring managers, within 60 days of the executive order date. We have previously reported that training at all staff levels, in particular training on hiring, reasonable accommodations, and diversity awareness, can help disseminate leading practices throughout an agency and communicate expectations for implementation of policies and procedures related to improving employment of people with disabilities.¹⁷ Such policies and procedures could be communicated across the federal government with training on topics such as how to access and efficiently use the list of Schedule A-certified individuals, the availability of internships and fellowships, such as Labor's Workforce Recruitment Program, and online communities of practice established to help officials share best practices on hiring people with disabilities, such as eFedlink.¹⁸

In its November 2010 model strategies memorandum to heads of executive agencies, OPM stated that, in consultation with Labor, EEOC, and OMB, it was developing the mandatory training programs required by the executive order and that further information would be forthcoming. OPM officials told us in March 2012 that they are working with federal Chief Human Capital Officers (CHCO) to develop modules on topics such as using special hiring authority that will be available through HR University.¹⁹ Officials explained that they need to ensure that the training is uniform to ensure all personnel receive consistent information, and they expect the training modules to be ready by August 2012.

¹⁷[GAO-11-81SP](#).

¹⁸The Workforce Recruitment Program connects agencies with college students and recent graduates with disabilities who wish to prove their abilities in the workplace through summer or permanent jobs. eFedlink is managed by the National Technical Assistance, Policy, and Research Center for Employers on Employment of People with Disabilities at Cornell University funded by Labor's Office of Disability Employment Policy. According to eFedlink, it is designed to support federal managers and human resource personnel to advance the hiring and advancement of persons with disabilities in the federal government.

¹⁹HR University, the federal government's one-stop human resources career development center, is designed to address competency and skill gaps within the human resources community.

Although it has yet to fully develop mandatory training programs, OPM has taken steps to train and inform federal officials about tools available to them. For example, OPM partnered with Labor, EEOC, and other agencies to provide elective training courses for federal officials involved in implementing the executive order on topics including: the executive order, model recruitment strategies, guidance on developing disability hiring plans, and return-to-work strategies.²⁰ OPM also conducted training on implementation of the executive order in July 2011 specifically for senior executives accountable for their agencies' plans. It also offers short online videos for hiring managers on topics such as Schedule A hiring authority. Further, other governmentwide training on employing people with disabilities exists. For example, Labor's Job Accommodation Network offers online training on relevant issues like applying the Americans with Disabilities Amendments Act and providing reasonable accommodations. Moreover, the Department of Defense's Computer/Electronic Accommodations Program offers online training modules to help federal employees understand the benefits of hiring people with disabilities.

Nevertheless, agency officials we interviewed told us that they would like to have more comprehensive training on strategies for hiring and retaining individuals with disabilities, confirming the need for OPM to complete the development of the training programs required by the executive order. For example, officials from one agency said that more training on the relationship between return-to-work efforts and providing reasonable accommodations is needed, while officials from another agency identified a need for increased awareness of the Schedule A hiring process.²¹

OPM Tracks the Hiring of People with Disabilities, but Concerns about Data Quality Exist

Executive Order 13548 requires OPM to implement a system for reporting regularly to the president, heads of agencies, and the public on agencies' progress in implementing the objectives of the executive order. OPM is also to compile, and post on its website, governmentwide statistics on the hiring of individuals with disabilities. This is important because effectively

²⁰The national training is offered through the Federal Executive Boards, which are a forum for communication and collaboration among federal agencies outside of Washington, D.C.

²¹OPM and EEOC have also concluded that agencies are not using Schedule A to its fullest extent. According to OPM, in fiscal year 2011, 1,093, or less than 1 percent, of all new full-time, permanent hires and transfers, were appointed under Schedule A.

measuring workforce demographics requires reliable data to inform decisions and to allow for individual and agencywide accountability.

To measure and assess their progress towards achieving the goals of the executive order, agencies and OPM use data about disability status that employees voluntarily self-report on the SF-256.²² OPM's guidance to agencies for implementing the executive order explained that the data gathered from the SF-256 is crucial for agencies to determine whether they are achieving their disability hiring goals. Agencies also report these data to EEOC in an effort to identify and develop strategies to eliminate potential barriers to equal employment opportunities.²³ According to the form, the data are used to develop reports to bring to light agency specific or governmentwide deficiencies in the hiring, placement, and advancement of individuals with disabilities. The information is confidential and cannot be used to affect an employee in any way. Only staff who record the data in an agency's or OPM's personnel systems have access to the information. According to draft data from OPM, as stated earlier, the government hired approximately 20,000 employees with disabilities during fiscal years 2010 and 2011.²⁴

However, according to officials at OPM, EEOC, VA, Education, and SSA, accurately measuring the number of current and newly hired employees with disabilities is an ongoing challenge. While the accuracy of the SF-256 data is unknown, agency officials and advocates for people with disabilities believe there is an undercount of employees with disabilities. For example, despite the safeguards in place explaining the confidentiality of the data, agency officials and advocates for people with disabilities told us that some individuals with disabilities may not disclose

²²Standard Form 256, *Self-Identification of Disability*. The executive order states that it "shall not be construed to require any federal employee to disclose disability status involuntarily."

²³EEOC's Management Directive 715 (MD-715) provides policy guidance and standards for establishing and maintaining effective affirmative programs of equal employment opportunity under section 717 of Title VII of the Civil Rights Act of 1964 as amended, and effective affirmative action programs under section 501 of the Rehabilitation Act of 1973, as amended. See, 42 U.S.C. § 2000e-16 and 29 U.S.C. § 791. The MD-715 includes a framework for agencies to determine whether barriers to equal employment opportunities exist and to identify and develop strategies to eliminate the barriers to participation. Under MD-715, EEOC requires agencies to report the results of their analyses annually.

²⁴We were not able to independently verify these data.

their disability status out of concern that they will be subjected to discrimination. Similarly, EEOC reported that some persons with disabilities are reluctant to self-identify because they are concerned that such disclosure will preclude them from advancement.²⁵

Additionally, some individuals may develop disabilities during federal employment and may not know how to or why they should update their disability status. We have reported that regularly encouraging employees to update their disability status allows agencies to be aware of any changes in their workforce. EEOC guidance recommends that agencies request that employees update their disability status every 2 to 4 years.²⁶

During the course of our review, we heard about potentially useful options for improving the accuracy of these data by attempting to increase voluntary disclosure, as well as alternative sources of information that may be used to augment the data provided on the SF-256. For example, in its disability hiring plan, Labor described plans to increase the accuracy of its workforce data by implementing a marketing campaign to promote the voluntary disclosure of one's disability status by having employees update their personnel profiles, including disability status. Labor plans to assure employees of the confidentiality of the information, and inform them that the information collected on the SF-256 will only be used for statistical purposes and to determine progress in achieving agency hiring and retention goals. As a source of alternative data, officials at SSA suggested examining the types of reasonable accommodations provided. Likewise, OPM is exploring options for using other federal personnel data, such as information on veterans with disabilities hired under a special hiring authority, to supplement its SF-256 data in measuring progress toward the executive order's goals.²⁷ These data could be used to better understand the makeup of an agency's workforce and improve the

²⁵See EEOC, *Improving the Participation Rate of People with Targeted Disabilities in the Federal Work Force* (Washington, D.C.: January 2008).

²⁶Many federal agencies use different automated systems for employees to update their own personal information, including disability status. For example, HR Connect and the National Finance Center's Employee Personal Page are both automated systems used across the federal government.

²⁷As previously noted, disabled veterans with a compensable service-connected disability of 30 percent or more may be noncompetitively appointed and converted to a career appointment under 5 U.S.C. § 3112.

agency's ability to establish appropriate policies and goals, and assess progress towards those goals.

Labor Has Taken Steps to Develop Return-to-Work Strategies

Labor has taken several steps toward meeting the requirements of the executive order to improve return-to-work outcomes for employees injured on the job, including pursuing overall reform of the FECA system. Specifically, Labor developed new measures and targets to hold federal agencies accountable for improving their return-to-work outcomes within a 2-year period. Agencies were expected to improve return-to-work outcomes by 1 percent for fiscal year 2011 and an additional 2 percent in each of the following 3 years over the 2009 baseline. In fiscal year 2011, the federal government had a cumulative return-to-work rate of 91.6 percent, almost 5 percent better than the target rate of 86.7 percent. Goals such as these are useful tools to help agencies improve performance. Labor is also researching strategies that agencies can use to increase the successful return-to-work of employees who have sustained disabilities as a result of workplace injuries or illnesses.²⁸ The results of this study are expected to be released in September 2012.

Another Labor initiative is aimed at helping the federal government rehire injured federal workers who are not able to return to the job at which they were injured. OWCP initiated a 6-month pilot project in May 2011 to explore how Schedule A noncompetitive hiring authority might be used to rehire injured federal workers under FECA. As part of the project, OWCP provided guidance to claims staff, rehabilitation specialists, rehabilitation counselors, and employing agencies on the process of Schedule A certification and the steps it will take to facilitate Schedule A placements. According to Labor, the pilot identified obstacles to reemployment and provided input needed to determine whether such an effort can be expanded to other federal agencies. Identified obstacles included unanticipated questions from potential workers, such as if acceptance of a Schedule A designation would require a "probationary" period, and what impact acceptance of a Schedule A position would have on their

²⁸According to Labor, the vast majority of workers either incur no time lost from work or return to work during the first 45 days of injury. Of the approximately 20,000 new cases each year where workers lose wages, approximately 90 percent either return to work or the cases are resolved through other means. In fiscal year 2011, 2,000 FECA cases pertained to workers who did not return to work. Such cases provide the best opportunity to improve return-to-work outcomes for federal workers who may have become disabled through their work.

retirement benefits. Of the 48 individuals Labor screened for Schedule A certification, 45 obtained certification, of whom 5 have been placed into federal employment.

Selected Agencies Have Plans in Place to Hire and Retain Employees with Disabilities and Have Adopted Many Leading Practices

Agencies Are Implementing Plans to Improve Hiring and Retention of Employees with Disabilities

Each of the four agencies we reviewed submitted a plan for implementing the executive order as required. Only VA's plan, as initially submitted, met all of OPM's criteria for satisfying the requirements of the executive order (see table 2). Education and SSA revised their plans based on feedback from OPM. Specifically, Education's revised plan states that Education will hire individuals with disabilities in all occupations and across all job series and grades. Education also clarified its commitment to coordinate with Labor to improve return-to-work outcomes through the POWER Initiative, and to engage and train managers on Schedule A hiring authority. Further, Education increased its goals for the percentage of job opportunity announcements that include information related to individuals with disabilities. SSA revised its plan to include goals and planned activities under the POWER Initiative, including quarterly monitoring of return-to-work successes under the program and a strategy for identifying injured employees who would benefit from reasonable accommodations and reassignment. OMB submitted its plan in March 2012 but, according to OMB officials, the agency has not received feedback from OPM.

Table 2: Assessment of Selected Agencies' Initial Plans

Criteria	ED	OMB ^a	SSA	VA
Identifies a senior executive who is accountable for implementation.	✓	^c	✓	✓
Provides evidence of senior executive review.	✓		✓	✓
Includes hiring goals.	✓		✓	✓
Accounts for hiring people with disabilities at all grade levels.	^b		✓	✓
Accounts for hiring people with disabilities in all job series.	^b		✓	✓
Identifies training necessary to advance and/or implement plan.	✓	^c	✓	✓
Includes plan for providing and assessing effectiveness of training.			✓	✓
Includes plan to increase return-to-work outcomes to make accommodations available to injured employees who sustain serious workplace injuries and illnesses.	^b	^c	✓	✓
Includes a plan to coordinate with OWCP to make accommodations available to injured federal employees.	^b	^c	✓	✓
Provides for quarterly monitoring of return-to-work successes under the POWER Initiative.	^b	^c	^b	✓
Includes plan for identifying injured employees, as defined under FECA, who would benefit from accommodations and reassignment.	^b	^c	^b	✓
Has a process for increasing the use of Schedule A as a means to increase hiring of people with disabilities/targeted disabilities.	^b	^c	✓	✓
Addresses the agency's reasonable accommodation policy and procedures and whether they have been updated.			✓	✓

Source: GAO analysis of OPM data.

^aOMB submitted its own disability hiring plan to OPM, but has not received feedback on it.

^bThe agency has addressed this issue in a revised plan.

^cOPM determined that this criterion had been met in the Executive Office of the President's disability hiring plan.

Agencies had positive views about the executive order's requirement that they develop written plans to increase the number of federal employees with disabilities. In particular, Education, SSA, and VA said that the executive order provided an opportunity to further develop the written plans they already had in place for hiring and retaining employees with disabilities.

Agencies were supportive of the goal of increasing the hiring and retention of federal employees with disabilities, and reported few challenges in implementing their plans to achieve this goal. Officials at all of the agencies we interviewed cited funding constraints as a potential obstacle to hiring more employees with disabilities. OMB officials also said that it was a challenge to identify individuals with the right skills and experience to fill their positions. For example, officials said that many of the candidates on OPM's list of Schedule A-certified individuals have entry level skills and not the more advanced skills and experience that are required for positions at OMB.²⁹ Agency officials cited no special challenges with respect to retaining employees with disabilities at their agencies.

Agencies Have Taken Steps to Implement Leading Practices for Increasing Employment of Individuals with Disabilities

In October 2010, we reported on eight leading practices that could help the federal government become a model employer for individuals with disabilities.³⁰ These practices, which are consistent with the executive order's goal of increasing the number of individuals with disabilities in the federal government, have been implemented to varying degrees by the four agencies we contacted for this review.

Top leadership commitment: Involvement of top agency leadership is necessary to overcome the resistance to change that agencies could face when trying to address attitudinal barriers to hiring individuals with disabilities. When leaders communicate their commitment throughout the organization, they send a clear message about the seriousness and business relevance of diversity management. Leaders at the agencies we talked with have, to varying degrees, communicated their commitment to hiring and retaining individuals with disabilities to their employees. Education has issued annual policy statements to its employees ensuring equal employment opportunity for all applicants and employees, including those with targeted disabilities, and officials told us that they routinely host events that address issues related to hiring and promoting equal employment opportunity. For example, in October 2008, Education hosted an event to encourage hiring individuals with disabilities and

²⁹According to OPM officials, when the agreement was developed, the CHCO Council requested that Bender Consulting identify individuals for entry-level positions. The list has since expanded to include individuals with a range of experience.

³⁰[GAO-11-81SP](#).

distributed a written guide about using Schedule A hiring authority to facilitate hiring individuals with targeted or severe disabilities, as well as disabled veterans. OMB officials said that it is briefing managers on the requirements of the executive order and that it planned to communicate the agency's commitment to implementing the executive order to all staff in May 2012. SSA's Commissioner announced his support for employing individuals with disabilities and encouraged employees to continue efforts to hire and promote these individuals in a March 2009 broadcast to all employees. VA said that the Secretary regularly communicates his commitment to hiring and retaining employees with disabilities through memorandums to all employees. In a September 2010 memorandum, the Secretary announced the agency's goal of increasing the percentage of individuals with targeted disabilities that it hires and employs to 2 percent in fiscal year 2011.³¹

Accountability: Accountability is critical to ensuring the success of an agency's efforts to implement leading practices and improve the employment of individuals with disabilities. To ensure accountability, agencies should set goals, determine measures to assess progress toward goals, evaluate staff and agency success in helping meet goals, and report results publicly. Education, SSA and VA's disability hiring plans all include goals that will allow them to measure their progress toward meeting the goals of the executive order. Prior to the executive order, Education issued a Disability Employment Program Strategic Plan for fiscal years 2011-2013 that established goals related to reasonable accommodations, and recruitment and retention, and offered strategies for meeting these goals, as well as ways to track and measure agency progress. At SSA, accountability for results related to the executive order is included in the performance plan of the senior-level official responsible for implementing it. VA specifically holds senior executives accountable for meeting agency numerical goals by including these goals in their contracts. Additionally, VA senior executives' contracts include a performance element for meeting hiring goals for individuals with targeted disabilities. OMB has not yet developed such goals.

Regular surveying of the workforce on disability issues: Regularly surveying their workforces allows agencies to have more information

³¹As previously noted, targeted disabilities include deafness, blindness, partial and total paralysis, missing limbs, distorted limbs or spine, mental disabilities, and convulsive disorders.

about potential barriers to employment for people with disabilities, the effectiveness of their reasonable accommodation practices, and the extent to which employees with disabilities find the work environment friendly. To collect this information, agencies should survey their workforces at all stages of their employment, including asking employees to complete the SF-256 when they are hired, and asking relevant questions on employee feedback surveys and in exit interviews. VA officials said that they encourage new employees to complete the SF-256, and SSA reminds all employees to annually review their human resource records and update or correct information, including disability data. In addition, all of the agencies we contacted survey employees to solicit feedback on a range of topics. However, only SSA and VA include a question on disability status or reasonable accommodations on these surveys. In addition, Education and SSA said that they routinely conduct exit surveys to solicit information from employees who separate from service about their reasons for leaving. While VA has an exit survey, officials said it is not consistently administered to all employees who separate. Education officials said that they have additional means of obtaining information about barriers for employees with disabilities. For example, senior managers hold open forums with staff, and employees can submit feedback to management through the agency's Intranet. Education officials also reported that employees with disabilities have formed their own group to address access to assistive technology, which has helped Education to obtain improved technology, such as videophones. OMB officials said that their Diversity Council and Personnel Advisory Board provide forums for employees to discuss diversity issues, including those related to disabilities, and share them with senior leadership.

Better coordination of roles and responsibilities: Often the responsibilities related to employment of people with disabilities are dispersed, which can create barriers to hiring if agency staff defer taking action, thinking that it is someone else's responsibility.³² Coordination across agencies can encourage agencies with special expertise in addressing employment obstacles for individuals with disabilities to share their knowledge with agencies that have not yet developed this expertise. All of the agencies we interviewed had, to some extent, coordinated within and across agencies to improve their recruitment and retention

³²See [GAO-11-81SP](#), p. 13.

efforts. Specifically, each agency has a designated section 508 coordinator who assists the agency in ensuring that, as required by section 508 of the Rehabilitation Act, employees with disabilities have access to information and data that are comparable to that provided to those without disabilities.³³ In addition, each agency has a single office or primary point of contact that is responsible for overseeing activities related to hiring and retaining employees with disabilities.

Officials at all of the agencies we talked to said their agencies engaged in one or more interagency efforts to address disability issues. All of these agencies participate in the CHCO Council, which facilitates sharing of best practices and challenges related to human capital issues, including those related to employees with disabilities. In addition, Education, OMB and SSA officials said that they work with state vocational rehabilitation agencies, which can help them identify accommodations that may be needed for new hires with disabilities. Education and SSA also participate in the Federal Disability Workforce Consortium, an interagency partnership working to improve recruitment, hiring, retention, and advancement of individuals with disabilities by sharing information on disability employment issues across government. SSA and VA have also participated in the Workforce Recruitment Program for College Students with Disabilities;³⁴ VA and Education have also worked together to assist disabled veterans by providing unpaid work experience at Education, which may lead to permanent employment.

OPM encourages agencies to coordinate their efforts by sharing information in its online workspace in the MAX system. For example, Education, SSA, and VA used MAX to submit and receive OPM's feedback on their disability hiring plans, and all four agencies have used the system to access OPM's list of Schedule A-certified individuals from which federal agencies can hire. However, only Education reported using the online workspace to share other information that could facilitate implementation of the executive order. Specifically, Education officials

³³29 U.S.C. § 794d.

³⁴Managed by Labor's Office of Disability Employment Policy and the Department of Defense's Office of Diversity Management and Equal Opportunity, this program is a recruitment and referral effort that connects federal sector employers nationwide with highly motivated college students and recent graduates with disabilities.

said that the site is useful for seeing what other agencies are doing, and that they have also shared their own practices on the site.

Training for staff at all levels: Agencies can leverage training to communicate expectations about implementation of policies and procedures related to improving employment of people with disabilities, and help disseminate leading practices that can help improve outcomes. All of the selected agencies provide some training for staff at all levels on the importance of workforce diversity. They also require managers and supervisors to take training on hiring procedures related to individuals with disabilities, and the use of Schedule A hiring authority. In addition, VA requires employees at all levels to take training specifically devoted to the legal rights of individuals with disabilities. At Education, this training is required for managers and supervisors, while at SSA it is available but optional for all employees.³⁵

Career development opportunities: Opportunities for employees with disabilities to participate in work details, rotational assignments, and mentoring programs can lead to increased retention and improved employee satisfaction, and improve employment outcomes by helping managers identify employees with high potential. All of the agencies we interviewed provided special work details or rotational assignments for all employees; one reported having a program exclusively for those with disabilities. Specifically, Education uses Project SEARCH to provide internships for students with disabilities to help them become ready to work through on-the-job training. Education officials reported that some of these internships have led to permanent employment at Education.

A flexible work environment: Flexible work schedules, telework, and other types of reasonable accommodations are valuable tools for the recruitment and retention of employees, regardless of disability status. Such arrangements can make it easier for employees with health impairments to successfully function in the work environment or facilitate an injured employee's return to work. All of the agencies we interviewed provide flexible work arrangements, including flexible work schedules and

³⁵Under the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act), agencies are required, among other things, to provide their employees with training regarding the rights and remedies afforded to them under federal antidiscrimination and whistleblower protection laws. Pub. L. No. 107-174, 116 Stat. 566 (May 15, 2002).

teleworking. These agencies also make assistive technologies, such as screen reader software, available for employees with disabilities, which can facilitate their ability to take advantage of flexible work arrangements. Education, OMB, and SSA also offer all employees opportunities for job sharing.

Centralized funding for reasonable accommodations: Having a central budget at the highest level of the agency can help ensure that employees with disabilities have access to reasonable accommodations by removing these expenses from local operational budgets and thus reducing managers' concerns about their costs. Education, SSA, and VA use centralized funding accounts to pay for reasonable accommodations for employees with disabilities. At Education, a centralized fund is usually used to cover expenses related to providing readers, interpreters, and personal attendants. However, in cases where these services are needed on a daily basis, Education may require the operating unit to hire someone full-time and pay for this from their unit budget. OMB provides funding from its own budget to pay for reasonable accommodations, rather than receiving funding from the Executive Office of the President. OMB officials also told us that they also have been able to rely on the Department of Defense's Computer/Electronic Accommodations Program to help provide reasonable accommodations for some of the employees. This program facilitates access to assistive technology and services to people with disabilities, federal managers, supervisors, and information technology professionals by providing a single point of access for executive branch agencies.

Conclusions

As the nation's largest employer, the federal government has the opportunity to be a model for the employment of people with disabilities. Consistent with the July 2010 executive order, OPM, Labor, and other agencies have helped provide the framework for federal agencies to take proactive steps to improve the hiring and retention of persons with disabilities.

However, nearly 2 years after the executive order was signed, the federal government is not on track to achieve the executive order's goals. Although federal agencies have taken the first step by submitting action plans to OPM for review, many agency plans do not meet the criteria identified by OPM as essential to becoming a model employer of people with disabilities. Though the executive order does not specifically authorize OPM to require agencies to address deficiencies, regularly reporting to the president and others on agency progress in addressing

these deficiencies may compel agencies to address them and better position the federal government to reach the goals of the executive order.

Further, officials responsible for hiring at federal agencies need to acquire the necessary knowledge and skills to proactively recruit, hire, and retain individuals with disabilities. Agency officials we spoke with said more comprehensive training on the tools available to them, including the requirements of Schedule A hiring authority, is needed. While the mandatory training program remains in development, until it is fully developed and communicated to agencies, opportunities to better inform relevant agency officials on how to increase the employment of individuals with disabilities may be missed.

Finally, concerns have been raised by stakeholders, including EEOC, OPM, and advocates for people with disabilities, about the reliability of government statistics on the number of individuals with disabilities in the federal government. Most of the concerns focus on the likelihood of underreporting given the reliance on voluntary disclosure, but the extent of the underreporting is unknown. Unreliable data hinder OPM's ability to measure the population of federal workers with disabilities and may prevent the federal government from developing needed policies and procedures that support efforts to become a model employer of people with disabilities. Determining the accuracy of SF-256 data, for example, by examining the extent to which employees voluntarily disclose their disability status and reasons for nondisclosure, is an essential step for ensuring that OPM can measure progress towards the executive order's goals.

Recommendations for Executive Action

To ensure that the federal government is well positioned to become a model employer of individuals with disabilities, we recommend that the Director of OPM take the following three actions:

1. Incorporate information about plan deficiencies into its regular reporting to the president on agencies' progress in implementing their plans, and inform agencies about this process to better ensure that the plan deficiencies are addressed.
2. Expedite the development of the mandatory training programs for hiring managers and human resource personnel on the employment of individuals with disabilities, as required by the executive order.
3. Assess the extent to which the SF-256 accurately measures progress toward the executive order's goal and explore options for improving the accuracy of SF-256 reporting, if needed, including strategies for

encouraging employees to voluntarily disclose their disability status. Any such strategies must comply with legal standards governing disability-related inquiries, including ensuring that employee rights to voluntarily disclose a disability are not infringed upon.

Agency Comments and Our Evaluation

We provided a draft of this report to Education, EEOC, Labor, OMB, OPM, SSA, and VA for review and comment. In written comments, OPM agreed with findings and recommendations identified in the report, and described actions being implemented in an effort to address them. To better ensure agencies address deficiencies identified in their disability hiring plans, OPM has begun notifying agencies that it plans to report remaining deficiencies to the president and on the OPM website by August 2012. With regard to the need to expedite the development of the mandatory training program, OPM, in coordination with partner agencies has identified training for hiring managers and supervisors, and Human Resource personnel. Finally, OPM stated that it is engaged in discussions with the White House and stakeholder agencies to better define questions on the SF-256 to increase response rates. OPM also said it plans to work with EEOC and Labor to develop guidance for agencies to encourage voluntary self-disclosure through annual re-surveying of the workforce and providing employees with the option to complete the SF-256 when they request a reasonable accommodation. OPM expects to complete these efforts by January 2013. While these actions may help improve the accuracy of the SF-256 data, we think taking steps to assess the accuracy of the data will enhance OPM's efforts. For example, understanding the extent to which employees do not voluntarily self-disclose their disability status and the reasons why may help target the messages agencies can use to encourage voluntary self-disclosure. Without such an understanding, OPM and agencies may miss opportunities to increase the accuracy of the data collected on the SF-256.

Education, EEOC, OMB, OPM, and SSA provided technical comments, which have been incorporated into the report as appropriate. Labor and VA had no comments.

We are sending copies of this report to Education, EEOC, Labor, OMB, OPM, SSA, and VA and to the appropriate congressional committees and other interested parties. In addition, the report will be available at no charge on GAO's website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact Yvonne Jones at (202) 512-2717 or JonesY@gao.gov, or Daniel Bertoni at (202) 512-7215 or BertoniD@gao.gov. Contact information for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix II.

Sincerely yours,

A handwritten signature in black ink that reads "Yvonne D. Jones". The signature is written in a cursive style with a large initial "Y".

Yvonne D. Jones, Director
Strategic Issues

A handwritten signature in black ink that reads "Daniel Bertoni". The signature is written in a cursive style with a large initial "D".

Daniel Bertoni, Director
Education, Workforce, and
Income Security Issues

Appendix I: Comments from the Office of Personnel Management



Diversity and
Inclusion

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

May 10, 2012

Ms. Yvonne Jones
Director
Strategic Issues
U.S. Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20458

Dear Ms. Jones:

The U.S. Office of Personnel Management (OPM) has reviewed your draft audit report on Disability Employment: Further Action Needed to Oversee Efforts to Meet Federal Government Hiring Goals. We are in concurrence with the findings and recommendations identified in the report, and we appreciate the input of the U.S. Government Accountability Office as we continue to work to enhance our disability employment program. Please find our responses below.

Response to Recommendations

RECOMMENDATION 1: Incorporate information about plan deficiencies into its regular reporting to the President on agencies' progress in implementing their plans, and inform agencies about this process to better ensure that the plan deficiencies are addressed.

MANAGEMENT RESPONSE: OPM concurs with this recommendation and continues to actively engage with Federal agencies in an effort to ensure that all deficiencies are addressed. We propose to deliver to the President, and include on the OPM website, a matrix that will indicate deficiencies in Disability Action Plans and align with disability hiring data. We have begun notifying agencies of our intent to incorporate information about plan deficiencies into its regular reporting to the President on their progress in implementing their plans. The target date for completion of the report is August 2012.

RECOMMENDATION 2: Expedite the development of the mandatory training programs for hiring managers and human resource personnel on the employment of individuals with disabilities as required by the executive order. For example, OPM could identify which existing individual training constitutes the overall training requirement for these personnel.

MANAGEMENT RESPONSE: OPM concurs with this recommendation and is developing mandatory, electronic training for retrieval from Human Resources (HR) University, as well as other appropriate government training websites. For hiring managers and supervisors, OPM, in coordination with partner agencies, has identified two primary training areas under Executive Order 13548. This training includes: (1) online training that addresses unconscious bias and helps managers recognize the value and talent people with disabilities bring to the workforce (e.g., <http://www.askearn.org/businesscase/>); and (2) OPM's bite-size

Appendix I: Comments from the Office of
Personnel Management

training video, Hiring People with Disabilities Made Simple, to provide a basic understanding of Schedule A hiring authority for people with disabilities.

For Human Resource (HR) personnel, OPM and the partner agencies have identified three primary training areas under Executive Order 13548, including: (1) using online training that addresses unconscious bias and helps HR personnel recognize the value and talent people with disabilities bring to the workforce (e.g., <http://www.askearn.org/businesscase/>); (2) developing an in-depth training to educate HR personnel about special hiring authorities and other resources available for finding, recruiting, and hiring people with disabilities; and (3) developing an in-depth training to educate HR personnel about successful practices (to include reasonable accommodation) for hiring, retaining, and promoting people with disabilities.

RECOMMENDATION 3: Assess the extent to which the SF-256 accurately measures progress toward the executive order's goal and options for improving the accuracy of SF-256 reporting, if needed, including strategies for encouraging employees to voluntarily disclose their disability status.

MANAGEMENT RESPONSE: OPM concurs with this finding. However, please note that, when individuals are asked to voluntarily self-identify their disability, under reporting has historically occurred in both the Federal government and the private sector. OPM is actively engaged in discussions with the White House, the U.S. Equal Employment Opportunity Commission (EEOC), the U.S. Office of Management and Budget, U.S. Department of Labor (DOL), and Department of Justice to determine and better define the questions posed in the SF-256 to increase response rates for new employees, as well as existing employees. We expect this effort to be completed by January 2013.

In addition, OPM, in coordination with EEOC and DOL, will develop guidance for agencies to encourage voluntary self-disclosure through the use of annual re-surveying of the workforce and providing employees with the option of completing an SF-256 when they request a reasonable accommodation. The guidance should be completed by January 2013.

Technical comments to the draft are enclosed. Unless otherwise noted, the suggested revisions are meant to provide technical accuracy.

Please contact Ms. Janet Barnes, Deputy Director, Internal Oversight & Compliance, on (202) 606-3270, if your office requires additional information.

Again, we thank you and your office for providing us with the opportunity to update and clarify information in the draft report.

Sincerely,



Veronica E. Villalobos
Director
Office of Diversity and Inclusion

Enclosure

Appendix II: GAO Contacts and Staff Acknowledgments

Contacts

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Acknowledgments

In addition to the contacts named above, Neil Pinney, Assistant Director; Debra Prescott, Assistant Director; Charlesetta Bailey; Benjamin Crawford; Catherine Croake; Karin Fangman; David Forgosh; Robert Gebhart; Michele Grgich; Amy Radovich; Terry Richardson; and Regina Santucci made key contributions to this report.

Related GAO Products

Federal Employees' Compensation Act: Preliminary Observations on Fraud-Prevention Controls. [GAO-12-402](#). Washington, D.C.: January 25, 2012.

Coast Guard: Continued Improvements Needed to Address Potential Barriers to Equal Employment Opportunity. [GAO-12-135](#). Washington, D.C.: December 6, 2011.

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