Supporting Statement
Information Collection Request:
Applicant Background Questionnaire: Race, National Origin, Gender, and Disability Demographics
EPA ICR # 2248.03

1. **Identification of the Information Collection**

1(a) <u>Title of the Information Collection</u>: Applicant Background Questionnaire: Race, National Origin, Gender, and Disability Demographics

1(b) <u>Short Characterization/Abstract</u>: The "*Applicant Background Questionnaire,*" to be completed voluntarily by applicants for jobs at the U.S. Environmental Protection Agency (EPA), will provide information on an applicant's gender, race, national origin, and disability. This data is required in compliance with the Equal Employment Opportunity Commission's (EEOC) Management Directive (MD) 715. MD 715 requires agencies to: (1) maintain a system that collects and maintains accurate information on the race, national origin, gender and disability of agency employees (see 29 CFR 1614.601); (2) maintain a system that tracks applicant flow data, which identifies applicants by race, national origin, gender, and disability status and disposition of all applications; and (3) maintain a tracking system of recruitment activities to permit analyses of these efforts in any examination of potential barriers to equality of opportunity. Agencies are required to "conduct an internal review and analysis of the effects of all current and proposed policies, practices, procedures and conditions that directly or indirectly," relate to the employment of individuals with disabilities based on their race, national origin, gender and disability. EPA must collect and evaluate information and data necessary to make an informed assessment about the extent to which the Agency is meeting its responsibilities to provide employment opportunities for qualified applicants and employees with disabilities, especially those with targeted disabilities.

Additionally, EPA is required to submit to the Office of Personnel Management (OPM), an annual Federal Equal Employment Opportunity Recruitment Program (FEORP) report to determine the Agency's success in recruiting, hiring, developing, and training a diverse workforce. The Office of Civil Rights provides an annual statistical report of race, national origin (RNO) and gender data which is required and utilized by the EPA Office of Human Resources (OHR) that consolidates information gathered from a job applicant's OPM Form 1386 B (Applicant Race and National Origin Questionnaire). OPM collects this information in accordance with a United States District Court for the District of Columbia Order. The Court in *Luevano v. Newman,* Civil Action No. 79-0271, approved a Decree ordering that Federal Government agencies provide data on race and national origin of applicants for certain Federal occupations.

Applicants for employment and EPA employees applying for vacancies within the Agency may voluntarily complete the questionnaire online using EPA's EZhire automated recruitment, vacancy announcement, and job application system. The information/data supplied by job

applicants is strictly confidential and encrypted within the software. The data is transferred to a data system called Visual Power Files within the Office of Civil Rights (OCR) and distributed by OCR only in the aggregate for affirmative employment analyses, planning and reporting required by EEOC and OPM. In accordance with 29 C.F.R. 1614.601, EEO group statistics, the employee and applicant flow data collected will be disclosed in the form of gross statistics, used for affirmative employment purposes only. Individual privacy and the separation of the information from personnel records will be maintained. The Agency will use the data only in studies and analyses which contribute affirmatively to achieving the objectives of the equal employment opportunity program.

2. **Need for and use of the Collection**
2(a) <u>Need/Authority for the Collection</u>

This data is required for compliance with EEOC MD 715 and 29 CFR 1614.601. Agencies are required to: (1) maintain a system that collects and maintains accurate information on the race, national origin, gender and disability of agency employees ; (2) maintain a system that tracks applicant flow data, which identifies applicants by race, national origin, sex, and disability status and disposition of all applications; and (3) maintain a tracking system of recruitment activities to permit analyses of these efforts in any examination of potential barriers to equality of opportunity. MD 715 requires agencies to "conduct an internal review and analysis of the effects of all current and proposed policies, practices, procedures and conditions that directly or indirectly, related to the employment of individuals with disabilities." EPA must collect and analyze information and data necessary to make an informed assessment about the extent to which the agency is meeting its responsibility to provide employment opportunities for qualified applicants and employees with disabilities, especially those with targeted disabilities.

Annually, the Office of Civil Rights is required to submit an Affirmative Employment Plan (AEP) which incorporates and analyzes statistical data gathered from applicants and employees in meeting responsibilities under the Civil Rights Act and other regulations. In addition, the annual (FEORP), developed by the (OHR), is required to be attached to the annual AEP and submitted to the (OPM). The FEORP shows the Agency's success in recruiting and hiring a diverse workforce. The report format requires the OHR to identify Agency hires by grade, gender, and (RNO). To meet the terms of the *Luevano* Consent Decree, the Agency must report, on an annual basis, the RNO data collected from Outstanding Scholar applicants for the preceding calendar year. To do this, OPM expects EPA to consolidate information gathered from applicant's OPM Form 1386 B (Applicant Race and National Origin Questionnaire) and enter the information onto the OPM Outstanding Scholar Reporting form. EPA must also complete a statistical report of RNO on applicants for each job by consolidating information gathered from an applicant's OPM Form 1386 B (Applicant Race and National Origin Questionnaire). The approved OPM form 1386 B does not contain the gender, grade level (if applicable), nor disability data elements. Without authorization to collect RNO data through EZhire or some other mechanism, EPA has been unable to respond accurately or fully to the EEOC and OPM reporting requirements and meet its responsibilities under law and regulation.

2(b) <u>Practical Utility/Users of the Data:</u> The practical utility and users of the data are
representatives from EPA's Offices of Civil Rights (OCR) and Human Resources. OCR is responsible for: (1) maintaining a database for EEO data and a system for protecting and

distributing the data; (2) developing systems and programs for the evaluation of the equal employment program's effectiveness, barrier analyses and elimination; (3) ensuring the agency has adequate data systems for effective analyses of applicant flow and on-board workforce; (4) reviewing and evaluating personnel policies, practices and transactions data to determine if barriers to equal employment opportunity exist; (5) establishing agency-wide objectives for the elimination of barriers to EEO; (6) developing and submitting affirmative employment program plans; and (7) developing and submitting annual accomplishments and updates reports for timely submission to EEOC.

The OHR supports the OCR in its efforts by collecting applicant flow data, which identifies applicants by race, national origin, gender, and disability status to be used for affirmative employment purposes. In addition, OHR's human resource specialists are responsible for conducting analyses of EPA's recruitment efforts, developing an annual FEORP for inclusion in the annual AEP submitted to the EEOC by OCR and for developing reports required by OPM. OHR personnel are involved in assisting and advising applicants on completing job applications and forms using EPA's automated recruitment, vacancy announcement and job application system.

3. **Nonduplication, Consultations, and Other Collection Criteria**
   3(a) <u>Non duplication</u>: EPA is not currently collecting this data. Therefore, there is no duplication.
   3(b) <u>Public Notice Required Prior to ICR submission to OMB</u>: This is an initial request for collection. A Federal Register Notice is being prepared to accompany this information collection request.
   3(c) <u>Consultations:</u> External consultations have been conducted with Monster Government Solutions the vendor for EPA's online recruitment system. Monster provides a similar service to many Federal agencies that use their product including the Departments of Labor (DOL) and Department of the Interior (DOI.). Internal consultations have been conducted with Office of Civil Rights (OCR), the Office of General Counsel (OGC), and the Office of Environmental Information (OEI).

EZhire provides an expedient, internal mechanism or tool for the OHR to collect the required RNO, gender, and disability data. The data is shared with OCR to fulfill its regulatory reporting requirements. The OCR uses the data only in studies and analyses which contribute affirmatively to achieving the objectives of EPA's EEO program.

   3(d) <u>Effects of Less Frequent Collection:</u> Annually, the EEOC requires the Agency to submit, for their review and approval, a written Affirmative Employment Program (AEP) Plan, which includes barriers and objectives to equal employment opportunity. OPM requires the annual submission of a FEORP, which is developed by OHR and submitted to OCR annually to be a part of the annual agency AEP Plan submitted to EEOC and OPM. Data on applicant flow enables the agency to determine whether or not recruitment efforts are effective and adequate for ensuring EEO on a regulation basis. The OCR develops quarterly reports for use by managers and supervisors in meeting the agency's objectives under the annual AEP. Applicant flow data on race, national origin, gender and disability is essential for meeting those requirements established by MD 715, 29 CFR 1614.601, and the Rehabilitation Act.

The Office of Human Resources reports FEORP information on an annual basis.

3(e) General Guidelines: Applicants, when applying for jobs at EPA, will be asked to voluntarily respond to questions contained in the "Applicant Background Questionnaire." The questionnaire will be a part of the Agency's EZhire automated recruitment, vacancy announcement and job application system. This information will be transmitted to the Office of Civil Rights to be maintained and updated in the EEOC database system designed for affirmative employment purposes.

3(f) Confidentiality: In accordance with MD 715 and 29 CFR 1614.601, the collection of RNO data by applicants for employment and EPA employees (as applicants) is voluntary. Applicants and employees will be advised of the use of the requested information and the importance to the affirmative employment program. The Agency will advise applicants and employees that the information will be used solely for statistical purposes and that there are procedures established to prevent the unauthorized disclosure of such information. Data on applicants and employees with disabilities will also be collected by self-identification and in accordance with established laws and regulations. Applicants for jobs, including EPA employees, have a choice as to whether to complete the questionnaire. Completion of the questionnaire is a voluntary effort. If an applicant voluntarily decides to complete the form, his/her personal information is kept confidential. The data collected is reported only in gross statistical format. The EZhire system has been certified and accredited as meeting the Federal Information Security Act (FISMA) security and confidentiality standards.

3(g) Sensitive Questions: The voluntary questionnaire asks applicants who are applying for positions at EPA to indicate their gender, race, national origin, and disability. Applicants complete the form on a voluntary basis. They have the option to answer or not to answer questions regarding their gender, race, national origin, and disability. The data is encrypted within the software. The questionnaire that will be used to collect this information is held in a confidential data base that can only be accessed by authorized personnel in the OHR. This database has been certified and accredited as being in compliance with FISMA regulations.

Applicants and employees (as applicants) will be advised of the use of the requested information and the importance to the affirmative employment program. The Agency will advise applicants and employees (as applicants) that the information will be used solely for statistical purposes and that there are procedures established to prevent the unauthorized disclosure of personal information. Data on applicants and employees (as applicants) with disabilities will also be collected by self-identification and in accordance with established laws and regulations.

Obtaining the data enables the Agency to comply with the EEOC's MD 715, 29 CFR 1614.601, FEORP, AEP, and other related reporting requirements. It will also be used for affirmative employment analyses and planning. The employee and applicant flow data collected will be disclosed in the form of gross statistics and used for affirmative employment purposes only. The Agency will also use the data to evaluate and assess the effectiveness of its recruitment, outreach programs, and affirmative employment efforts. The Agency will use the data only in studies and

analyses which contribute to achieving the objectives of the equal employment opportunity program for EPA.

4. **The Respondents and the Information Requested**
     4(a) <u>Respondents/SIC Codes</u>: Respondents to this information collection request could span the universe of job seekers in the public domain. Therefore, all of the North American Industry Classification System (NAICS) codes are applicable.

     4(b) Information Requested
          (i) <u>Data items, including record keeping requirements</u>: (See Attachment A, "Applicant Background Questionnaire." This information is retained in the system for two years.
          (ii) <u>Respondent Activities</u>: Applicants are asked to log in and register in the Agency's EZhire system, if they have not done so previously. An applicant would read the instructions on the "Applicant Background Form," and check the appropriate blocks. This action should take approximately twenty-eight (28) minutes.

<div align="center">Respondent Activities</div>

Respondent Activities	Burden (In Minutes)	Cost
Log into EZhire	1	none
Read Questionnaire Instructions	5	none
Complete "Applicant Background Questionnaire	21	none
Log Off	1	none
Totals	28	none

5. **The Information Collected–Agency Activities, Collection Methodology, and Information Management**
     5(a) <u>Agency Activities</u>: Agency activities are as follows:

Develop questionnaire	Review Data Submissions	Store the data	Retrieve, analyze and evaluate data; generate reports
Yes	Yes	Yes	Yes

     5(b) <u>Collection Methodology and Management</u>: EPA's EZhire automated recruitment, vacancy announcement, and job application system is the mechanism that will be used to collect the required data from applicants for positions at EPA. Applicants will respond to the questionnaire, on a voluntary basis, upon applying for jobs. The applicants' responses to the questions are stored in a secure database. There is no public access to this information. Applicants can revisit the web site to update their profile by reentering the system with their User ID and password. Access to the "Applicant Background Questionnaire" is limited to

representatives of the OHR and OCR, Contractors who have been approved to analyze and repare reports on behalf of EPA may have access to the information in the data base as well, if necessary.

       5(c) <u>Small Entity Flexibility</u>: Not applicable.
       5(d) <u>Collection Schedule</u>: The questionnaire forms are collected on a daily basis and catalogued within the EZhire system.

6. **Estimating the Burden and Cost of the Collection**
       6(a) <u>**Estimating Respondent Burden**</u>: It should take approximately 28 minutes for the average applicant/respondent to complete the "Applicant Background Questionnaire."

Annual Respondent Burden and Cost

Respondent Activities	Burden (In Minutes)	Civilian Worker /Labor Cost in Hours @ $26.86
Log into EZhire	1	$ .45
Read Questionnaire Instructions	5	$ 2.25
Complete "Applicant Background Questionnaire	21	$ 9.45
Log Off	1	$ .45
Totals	28	$12.60 x 32,590 (respondents) = $410,634

       6(b) <u>**Estimating Respondent Costs**</u>: Note that respondents are members of the general job-seeking public, and while there are no labor costs associated with this, the estimate provided above is based on a national average taken from the Bureau of Labor Statistics which estimates the cost of their time. No "real" cost is incurred on the part of the applicant/respondent.

       (i) <u>**Estimating Labor Costs**</u>:
Applicants voluntarily complete the "Applicant Background Questionnaire," therefore, there is no labor cost for respondents.

There are costs associated with contractual support to retrieve, analyze, evaluate the data and prepare reports on an annual basis for MD 715 purposes.

OCR provides raw employment data to TechSolutions (Contractor) on a monthly basis. TechSolutions then retrieves, analyzes, evaluates the data and prepares 28 reports on an annual basis for MD 715 purposes. There are six reports to be developed that require Applicant Flow data. It takes approximately six hours for TechSolutions to generate each report, each month.

The cost to generate six reports annually = ($20,000 x 6 reports) / 28 reports
                                       = $4,286.00 (approximately)

The cost to generate six reports monthly = ($4286/12 months) = $357.00 per month (approximately).

The time to generate each monthly report is about six hours.

Therefore, the hourly labor to generate each report by TechSolutions = ($357/6 hours)
                                                                    = $60.00 per hour

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(ii) Estimating Capital and Operations and Maintenance Costs:

There is no capital/start up cost to be incurred by the Federal government or EPA. The EZhire system is totally implemented and operational. Operation and maintenance cost are negligible. These costs are imbedded in the annual leasing agreement between EPA and the EZhire vendor. No cost for (O&M) is incurred for the purpose of this collection.

As stated previously, it should take approximately 28 minutes for the average applicant/respondent to complete the "Applicant Background Questionnaire." However, applicants voluntarily complete the "Applicant Background Questionnaire," therefore, there is no labor cost for respondents.

(iii) Capital/Start-up vs. Operating and Maintenance (O&M) Costs:

As stated above, there is no capital/start up cost to be incurred by the Federal government or EPA. The EZhire system is totally implemented and operational.

Operation and maintenance costs are negligible. These costs are imbedded in the annual leasing agreement between EPA and the EZhire vendor (Monster Government Solutions).

(iv) Annualizing Capital Costs: Not applicable.

6(c) Estimating Agency Burden and Cost: The Agency burden and cost for this collection is limited to labor hours for Office of Civil Rights staff and contractor support to retrieve and analyze data and prepare reports. The EZhire system (the collection method) is fully implemented and operational. There is a lease agreement that covers the Agency's cost to post vacancy announcements and have applicants apply for jobs online. There is no additional cost borne by the Agency for this system in association with this request. Applicants can voluntarily complete the Applicant Background Questionnaire when: (1) registering to use the EZhire system; and/or (2) applying for a job.

The following table depicts an estimate of the Agency burden and cost:

Agency Burden and Cost

Activity	Burden (in Hours)	Cost (per annum)	
Develop Applicant Background Questionnaire	2 hours	n/a	
Review Data Submissions	This activity is performed by HR specialist at the time of reviewing applicant's qualifications for positions	n/a	
Storing the Data	The Applicant Background Questionnaire is stored when: (1) an applicant registers to use the EZhire system, and (2) when an applicant applies for a job online.	n/a	
Retrieve, analyze and evaluate data; generate reports	(a) OCR-AED Staff (Assistant Director and eight (8) staff members cost to analyze reports generated by the applicant flow data: 440.00 x 15 (hours) x 12 months = $79,200.00 (b) TechSolutions (Contractor) Cost to generate 6 reports monthly: $4,286/12 = $357.00 per month $357/6 hours = $60.00 per hour	$79,200.00 $4,286.00	
TOTALS	51 hours	$83,486.00	

6(d) <u>Estimating the Respondent Universe and Total Burden and Costs</u>:
On average, approximately 32,590 applicants apply for jobs online at EPA. There is no cost to the applicant/respondent associated with completing the Applicant Background Questionnaire. This is a voluntary action on their part. It should take an applicant approximately 28 minutes to complete the questionnaire.

     6(e) <u>Bottom Line Burden Hours and Cost Tables</u>
       (i) Respondent Tally: Total = $410,634
       (ii) The Agency Tally: Total = $83,486
       (iii) Variations in the Annual Bottom Line: Not applicable
     6(f) <u>Reasons for Change in Burden</u>: Not Applicable