

Training Needs Survey Report

September 2012

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Background

This project was implemented as a predecessor to providing appropriate training and technical assistance to federal contractors who are expected to hire people with disabilities pursuant to the U.S. Department of Labor proposed Executive Order 11246¹ for Section 503 of the Rehabilitation Act (Section 503) that would require federal contractors and subcontractors to set a hiring goal of having 7 percent of their workforces be people with disabilities, among other requirements. The department's Office of Federal Contract Compliance Programs (OFCCP's) proposed rule would strengthen the affirmative action requirements established in Section 503 of the Rehabilitation Act of 1973 obligating federal contractors and subcontractors to ensure equal employment opportunities for qualified workers with disabilities.

The proposed regulatory changes detail specific actions contractors must take in the areas of recruitment, training, record keeping, and policy dissemination — similar to those required to promote workplace equality for women and minorities. In addition, the rule would clarify OFCCP's expectations for contractors by providing specific guidance on how to comply with the law.

Training and technical assistance is therefore intended to both help ensure that federal contractors are in compliance with the requirements and intents of the Americans with Disabilities Act (ADA) and Section 503 of the Rehabilitation Act (503). Further, it is the hope that training of contract staff will contribute to increasing rates of employment of people with disabilities on federal contracts and increase opportunities for advancement of people with disabilities in employment on federal contracts.

For purposes of this project, our attention was directed toward Community-Based Rehabilitation Organizations (CBROs) that participate in the federal set-aside program wherein contracts for

¹ Executive Order 11246 <http://www.dol.gov/compliance/laws/comp-eeo.htm> and http://www.dol.gov/dol/cfr/Title_41/Chapter_60.htm and CFR Title 41 — Public Contracts and Property Management Chapter 60 — Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor: Public Contracts and Property Management http://www.dol.gov/dol/cfr/Title_41/Chapter_60.htm.

services and products are to be provided through CBROs with high percents of people with disabilities engaged in employment. These CBROs participate in the AbilityOne federal set-aside program managed by NISH. AbilityOne contractors have a long history of providing training and employing for persons with significant disabilities on work that is productive, well paying, and of benefit to purchasers of their services and product.

There is no explicit or implicit intent to be of the AbilityOne program. This project was conducted solely to identify needs and deliver customized training to federal contract staff in order to that increases their knowledge, skills, and compliance with ADA/503 requirements. These CBROs were selected solely because of convenience and there being a certain degree of homogeneity among them. One should expect that their needs, compliance, and competence represent a floor for any standards for competence, recruitment, advancement, and employment rate improvements for federal contractors. Other federal contractors may eventually be surveyed/trained pending results of this line of research, training and technical assistance.

Therefore, this report provides the results of SWTAC first year efforts to develop a training needs and competency assessment process and to identify potential training needs among CBROs in Region VI. Training for CBROs will be designed from this research and implemented in year two.

Methodology

The survey process was designed to meet two purposes: (a) To identify regional (or general) training needs for developing SWTAC training on ADA/503 in Region VI and (b) to develop a model (survey-shell) with which to identify needs and assess gains in knowledge and skills of trainees resulting from customized training for one or more CBROs. The survey process relies upon frank, self-reporting by the individuals who complete the needs assessment. Likewise, assessment of gains in knowledge or skills also relies upon frank, confidential trainee self-appraisals of their knowledge or ability to apply and ADA/503 requirement in their work. This limitation is noted throughout. Direct observation and more extensive on-the-job assessment of competence would be more methodologically sound, but not economically feasible when training is likely to last no more than 3-6 hours.

Definition of Competency. A knowledge, skill, or ability required to effectively perform a role and achieve desired results. The knowledge, skill or ability must be achievable as a result of training. Competencies can be classified, broadly considered as "knowledge" of something important to ones job and "applications" of knowledge in performing an important job function that may be affected by ADA and related regulations. To be competent, therefore, means being knowledgeable or and/or able to incorporate ADA expectations within federal contractor job functions.

ADA Competency Domains. Two broad areas of need and competency for federal contractors are (a) Essential Knowledge of ADA (A) and (b) applications within functions (or roles) carried out by supervisory, training, and support staff assigned to a federal contract (B, C, and D). A is just about ADA related laws, regulations, content, and requirements. B, C, and D are about what is done (functions) on the federal contract that can be affected by ADA and the regulations.

- A. **Essential Knowledge of ADA for federal contractors:** Knowledge and understanding of key intents, concepts, and terms from ADA and ADA related laws; of explicit requirements for contractors; and of related Federal laws (e.g., Section 503), regulations (e.g., EEOC), executive orders, and court decisions that apply to federal contractors.
- B. **Design of work and accommodations on federal contracts:** Applications of ADA appropriate practices (coincident, supportive, contributive, compliant, meet the intent) in design and engineering of work or production; in determining needs for accommodations; in identification, design and use of accommodations (e.g., supports, technology, work, schedules); and in acquiring and paying for reasonable accommodations.
- C. **Supervision and training of workers on federal contracts:** Applications of ADA compliant/appropriate strategies in worker training and development; in worker assignment; in ongoing supervision; in performance evaluation and accountability; in performance improvement; in identifying excellence and recommending advancement; and in recommending retention and dismissal decisions.
- D. **Human resources functions that support federal contracts:** Applications of practices that meet federal requirements in developing job descriptions based upon essential job duties; in recruitment, interviewing, selecting, and hiring; in assigning workers to federal contracts; in setting compensation and benefits; in determining appropriateness of decisions to retain, advance, and dismiss; and in reporting and maintaining records that document compliance with ADA and related fair labor laws and regulations.

Scaling for ADA/503 Training Needs Items. The following scaling was adopted for knowledge and skill items in the needs assessment. Parallel scaling for competency assessment will be adapted from these two scales (see Appendix D):

Knowledge. Please use this scale for rating competencies 1-8:

- A Knowledgeable about topic and ADA/Section 503 implications for our work.
- B Somewhat knowledgeable, but uncertain about what ADA/Section 503 requires.

- C Uncertain about my knowledge and what ADA/Section 503 requires.
- D My job responsibilities do not include performing this activity or function.

Applications: Please use the following scale for rating competencies 9-29:

- A Able to perform the activities in keeping with ADA/Section 503 requirements.
- B Able to perform activities, but uncertain about what ADA/Section 503 requires.
- C Uncertain about what ADA/Section 503 requires in performing these activities.
- D My job responsibilities do not include this activity or function.

Determination of Training Need. Need for training is indicated from respondent choosing alternative B or C for each of the 29 statements. Percent of need across respondents is calculated for respondents who did not select D (not part of my job duties). Level of need is defined as High (60+% chose B or C), Moderate (40-59%), and Low (Under 40%) based upon percents choosing B and C. Customized training would address High and Moderate needs.

Instrument Development. Instrument development occurred in several phases.

1. ADA and Section 503 requirements were reviewed to identify areas and issues where federal contractors may have either a compliance role (e.g., accessible work design) or enabling role (e.g., recruitment, promotion) that may promote increasing rates of employment and advancement of people with disabilities working on federal contracts.
2. Essential knowledge and potential applications of ADA/503 were then identified and reviewed by the project advisory committee members as to whether the statements reflected issues for federal contractors, inclusiveness of important knowledge and applications, and whether they may be addressed in training provided by ILRU/SWTAC.
3. The statements were then refined and the 29 knowledge and application statements that were highest in priority by reviewers were embedded in a draft survey instrument and resubmitted to the AC for classification against the four content domains.
4. A field-test was conducted with three CBROs to test survey letter, items and on-line survey procedures. Results are included in appendix G.
5. The instrument was shortened (asked fewer questions about the CBRO) and item classification completed. Several items that asked about CBRO revenue, contracts, and related services were deleted to help increase ease of responses by non-management CBRO staff. This resulted in limiting the potential for the survey to be used in determining a regional profile of ADA/503 training needs.

6. Using feedback from the above steps and advisory committee input, knowledge and application statements were generated and classified by domain to develop an item-bank for use in assessing needs prior to need-based training and for subsequent assessment of competency gains pre and post training.

The survey instrument and on-line procedure (using a commercial survey tool, www.Vovici.com) are now available for future regional or CBRO-specific training needs assessments. Demographic items retained in the survey-shell are items pertinent to designing customized-training for a CBRO (e.g., job title, role, experience), rather than items that might be useful for purposes of determining regional training needs (e.g., organizational budget, proportion of revenue from rehabilitation versus federal contracts). Further, the option "I do not have this information" is included for items where an individual might otherwise guess (e.g., not all staff knows total number of staff or total contract revenue at the CBRO).

Needs Assessment Survey. The survey is comprised of two parts: (a) Some background about you: 5-digit CBRO pass-code, job roles performed, job title, years in rehabilitation and work on federal contracts, age, have or family member with disability, highest level of education, states in which CBRO does business, total dollars from federal contracts, number of staff working on federal contracts, and preferences for 5 types of training. (b) Your ADA Training Needs: 8 knowledge items, 21 application items across the 4 domains. The survey takes under 20 minutes and all responses are confidential.

Cover Letter. The cover letter is sent to the CEO of the 37 CBROs in Region VI. The letter presented reasons for participating, described why SWTAC is conducting the survey, and identified the three types of people working on federal contracts who should respond to the survey: Those who recruit, those who supervise, or those who train workers with disabilities.

Multiple responses were sought from these staff at each CBRO to obtain stable estimates of needs at the CBRO (i.e., at least 10 independent responses). The letter includes a CBRO-pass-code to permit aggregation of responses from each CBRO and included timelines for completing the survey (between August 07, 2012 and August 31, 2012).

Conducting the Regional Survey. The regional survey was conducted between August 07, 2012 and August 31, 2012. E-mails that included the cover letter and a link to a copy of the survey were sent to the 37 CBROs in Region VI that have contracts for services and production with federal agencies under the AbilityOne program. A follow-up reminder was sent on August 22, 2012 to generate additional participation.

Results

Characteristics of Respondents. Tables 1 reports demographic characteristics. As we did not obtain minimum of 10 responses per CBRO to permit us to breakout findings by CBRO, results are reported in aggregate.

Sample and Response Rate. Thirty-seven CBROs with federal work contracts were surveyed. Fifteen responses were obtained from 8 CBROs: Texas (1), New Mexico (3), Arkansas (2), and Louisiana (2). Nearly 60% of returned surveys came from three CBROs. The effective response rate is 21.6 percent.

Job Roles and Responsibilities. Respondent job titles could be classified as CBRO Management (CEO, VP) (13.3%), Contract Development (33.3%), Human Resources (40%), or Program Management (13.3%). Virtually all respondents checked multiple functions and, with 40% of them in human resources, the most frequent roles they performed were in HR support (73.3%), recruitment and hiring (66.7%), and training workers (53.3%). Next highest set of functions (all checked by 40% of respondents) related to work design, developing job descriptions, acquiring accommodations, supervising workers on contracts, conducting performance reviews, and making recommendations for promotion, retention, and dismissal.

Tenure at CBRO and on Federal Contracts. Most respondents (80%) had been with the CBRO for under 20 years and more than half had had worked on federal contracts for 10 years or less (60%).

Disability. Slightly more than half report they or a family member had a disability (53.3%).

Education. Fully 2/3s had completed college and/or an advanced degree. Another quarter (26.6%) had attended college or completed a technical program.

Contract Revenue. Though 40% did not have information available on size of federal contracts, among the 9 reporting, the typical FY revenue was between \$1 million and \$4.9 million (2) or in excess of \$5 million in the most recently completed fiscal year (4). Three respondents reported revenues below \$1 million annually.

Potential Number of Trainees. While CBROs with contracts under \$100,000 reported having fewer than 25 staff on federal contracts (20%), the more typical number of staff who might benefit from training was either between 75 to 99 or over 150. These data, in combination with low or no responses from one state, further supports our conclusion that responses from the 15 are not likely to be representative of the needs of any specific CBRO and probably not a good indicator of need across the region.

Preferences for Training. Five training formats were rank-ordered. Preferences in ranked order are for On-line training, Onsite or Webcast), and Conference Training. Program Text was the least preferred training method.

Priority Training Needs. Table 2 summarizes training needs according to domain and level of need among respondents who chose does not need training (A), needs some training (B) or definitely needs training (C). Only those respondents who indicated the knowledge or skill was part of their job are included in calculations of need. Therefore, percents of choices of B or C for each competency statement are classified each statement as High (60+ %), Moderate (40-59%), or Low Need (under 40%).

The last two columns on the table also include percents and level of need for the 15 respondents, regardless of their choice of alternative D. These data are reported only for full disclosure of findings. It is not recommended that training be designed based upon these data. Were there higher rates of response from individual CBROs, these data may be useful for developing customizing training for specific groups of staff within a CBRO: For instance, based upon the roles performed by respondents, for staff with specific job titles.

Eight competencies have High needs, while 14 have Moderate levels of need. Highest needs are for essential knowledge about ADA and Section 503 requirements (4 of 5 high and 2 moderate). Next highest needs are in skills in providing HR supports to contract staff (3 of 9 high and 3 moderate), followed by supervision and training of workers (1 of 10 high and 6 moderate), and in design of work and accommodations (3 of 4 moderate). Training needs are therefore with respect to the following (item, statement, level of need)

A. Essential Knowledge of ADA for federal contractors

| | | |
|---|--|----------|
| 4 | Understanding of Section 503 of the Rehabilitation Act and Affirmative Action for federal contractors. | High |
| 5 | Knowledge of review and audits that the Office of Federal Contract Compliance Programs may conduct on federal contractors. | High |
| 2 | Understanding of employer requirements established in the Americans With Disabilities Act (ADA). | High |
| 3 | Understanding of reasonable accommodations requirements for federal contractors. | High |
| 8 | Knowledge of ADA and AbilityOne definitions of disability in relation to employment and federal contract compliance. | Moderate |
| 6 | Understanding of employment discrimination for qualified individuals with a disability under the ADA. | Moderate |

D. Human resource functions that support federal contracts

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|----|---|----------|
| 28 | Modify personnel policies and procedures to ensure compliance with ADA and EEOC requirements. | High |
| 22 | Analyze data and reports to identify and determine employee promotional opportunities. | High |
| 21 | Plan and conduct new employee orientation and training to perform on federal contracting jobs. | High |
| 10 | Develop interview questions and other performance measures to identify applicants who meet job requirements and performance expectations. | Moderate |
| 23 | Conduct exit interviews to identify reasons for employee resignations and termination. | Moderate |
| 29 | Interpret and apply non-discrimination laws and regulations to common situations faced by employers. | Moderate |

C. Supervision and training of workers on federal contracts

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|----|--|----------|
| 1 | Understanding of how job redesign, work modifications, automation, and assistive technology can enhance worker performance and productivity. | High |
| 26 | Identify and implement strategies for overcoming access barriers for applicants and employees on federal contracts. | Moderate |
| 13 | Design work processes to increase employment and advancement opportunities for individuals with disabilities. | Moderate |
| 20 | Identify and address worker training needs to improve productivity on federal contracts. | Moderate |
| 11 | Assist employees with disabilities to increase their productivity using assistive technology or updating work design. | Moderate |
| 19 | Encourage and build mutual trust, respect, and cooperation among co-workers without and with disabilities. | Moderate |
| 25 | Monitor and track employee job performance on federal contracts. | Moderate |

B. Design of work and accommodations on federal contracts

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|----|---|----------|
| 18 | Design or modify worksites so that they are readily accessible and usable by all employees. | Moderate |
| 16 | Foster and promote integrated working environments where employees with and without disabilities come together as one working unit. | Moderate |
| 14 | Provide workplace access or reasonable work accommodation for | Moderate |

applicant or employees with disabilities.



Low level needs are identified for the following seven competencies:

| | | |
|----|---|-----|
| 15 | Provide communication aids and services for individuals with disabilities to better understand and perform their job. | Low |
| 12 | Organize work and work environment to compliment strengths and capabilities of employees with disabilities. | Low |
| 24 | Participate in interviewing, selection, and assigning applicants with disabilities to federal contracting jobs. | Low |
| 27 | Conduct performance evaluations with workers with disabilities. | Low |
| 9 | Review work statements and identify essential job tasks for appropriate selection of qualified applicants to work on federal contracts. | Low |
| 7 | Knowledge of purpose and job analysis procedures used to identify essential functions and expectations for a job. | Low |
| 17 | Develop job descriptions, job announcements, and advertising to recruit qualified individuals with disabilities. | Low |

Conclusions and Recommendations

Conclusions. Based upon the above aggregate survey results, the following limitations and conclusions are warranted.

1. Results are based upon anonymous, self-report as to the knowledge or skills of the responding individuals and may not be true measures of actual knowledge or skills. This is not uncommon for surveys where the possibility to verify responses cannot be included because of feasibility, cost, or potential to compromise response rates.
2. The survey did not include demographic items with which to detail the organizational characteristics of CBROs and, therefore, the data do not permit determining the representation of regional needs. The needs are those reported by 21.6% of CBROs and the 15 individuals working in those organizations. Because responses in excess of some minimum (e.g., 10) were not obtained from any of the CBROs, the results cannot be viewed as representing the level and types of needs that may be present among contract, HR, and training staff at any single organization.
3. The top 3 preferences for training formats are web-based, on-site, and conference training. Training manuals is the least preferred format.

4. Based upon the reported size of staff on federal contracts, there is potentially 800 staff (using lower limit of most frequently selected staff size) in these 8 reporting CBROs who could benefit from ADA training.
5. There are eight High and 14 Moderate level needs that can be addressed in training. With the exception of domain "B. Design of work and accommodations," there is at least one High level needs to be addressed in each of the other three domains: "A. Essential Knowledge of ADA (4 high, 2 moderate);" "D. Human resource functions (3, 3);" and "C. Supervision and training (1, 6)."
6. Training that addresses High level needs should be highly factual (essential knowledge of what ADA, Section 503, Affirmative Action, and reasonable accommodations) and also designed to develop skills in modifying policies and practices to meet requirements, to use new information on changes in compliance and compliance reporting, to plan orientation and training for new employees, and to develop appropriate accommodations through work redesign.
7. A second tier of training would address Moderate level needs to meet ADA/AbilityOne disability definitions, discrimination in recruiting and hiring qualified individuals, and that also include developing skills in interviewing, performance productivity, conducting exit interviews and/or developing worker performance using accommodations, redesign, and individual barriers.
8. The on-line assessment process and survey instrument appear to work well, once respondents get to the survey. The item pool and parallel competency assessment also appear appropriate for use in conducting a survey of needs and assessment of competencies within a defined pool of potential trainees (e.g., a CBRO, individuals attending a professional conference).

Recommendations. The following recommendations are offered for using the finding from this study:

1. ADA/503 Training. Use the above needs profile, to develop a general training program for CBROs and market it to the responding CBROs recognizing full well the incompleteness or non-representativeness of the needs. Using these needs as a framework, then explore during training other emergent or co-existing needs that may be addressed directly in the training or through follow-up technical assistance.
2. Technical Assistance. Using the above needs profile, develop a technical assistance strategy that may be marketed to a collection of CBROs (e.g., at a state or AbilityOne regional conference) using case studies and CBRO identified examples.

3. **Developmental Training.** Prepare a training approach that can be provided via web-based or on-site training that utilizes a high degree of examples and strategies to address, especially, the High level knowledge-skills indicated from this survey. This approach would be a beginning shell with which to determine concrete learner objectives and other subject matter that would be added as the training is offered, trainees assessed, and programs evaluated.
4. **CBRO Participation.** Given the low number of responses even from cooperating CBROs, additional incentives are needed to encourage greater response and/or whether the ADA/503 compliance issues are of interest to CBROs (or other federal contractors) in Region VI. Options may include:
 - a. Directly contact each CBRO CEO to determine where on their list of needs, priorities, and interest are the issues addressed in this project: ADA compliance, transparency, threat to set-aside program, access to training, affecting rates of employment and advancement of people with disabilities.
 - b. Direct solicitation to CBROs to determine general interest and potential need for ADA/503 training.
 - c. Targeting specific set of CBROs (including those in the present sample or only New Mexico CBROs) to get a nearer census level response (i.e., above 10 and closer to 50% of those who might participate in training). Use the method described about to analyze and define High and Moderate needs and design training that is specific to the pool of CBRO staff.
 - d. Approach AbilityOne/NISH to provide survey tools and willingness to partner with them in survey-to-training.

Appendices

- A. Definitions and Logic for Competency Assessment
- B. The 2012 Survey Instrument
- C. Letter to CBRO Executive Director
- D. Competency Assessment for Use in Training
- E. Competency Item Bank
- F. Supporting Data Tables
- G. Pilot Test Results with Advisory Committee