Department of Community Colleges and Workforce Development

Camille Preus, Commissioner
255 Capitol Street NE
Public Service Building
Salem, OR 97310

503-947-2433

Affirmative Action Plan

July 1, 2011 – June 30, 2013

Department of Community Colleges and Workforce Development

AFFIRMATIVE ACTION PLAN
2011-2013 BIENNIUM

I. Cover Letter

A. Description of Your Agency
B. Mission and Objectives
C. Name of Current Agency Director/Administrator
D. Name of Governor's Policy Advisor for our agency
E. Organizational Chart

II. Affirmative Action Plan

A. Agency Affirmative Action Policy Statements
B. Training, Education and Developmental Plan (TEDP)
   1. Employees
   2. Volunteers
   3. Contractors/Vendors
C. Programs
   1. Internship Programs
   2. Community Outreach Programs
   3. Diversity Initiative Programs
D. Update: Executive Order 08-18
   1. Cultural Competency Assessment and Implementation Services
   2. Statewide Exit Interview Survey
   3. Performance Evaluation of ALL Management Personnel
E. Status of Contracts to Minority Businesses (ORS 659A.015)

III. Roles for Implementation of Affirmative Action Plan

Responsibilities and Accountabilities
1. Commissioner / Deputy Commissioner
2. Managers / Supervisors
3. Affirmative Action Representatives

IV. July 1, 2009 – June 30, 2011

A. Accomplishments
B. Progress Made or Lost Since Previous Biennium

V. 2011 -2013

A. Goals for Our Affirmative Action Plan / Programs
B. Strategies and Timelines for Achieving Those Goals

VI. Appendix A

Agency's Policy Documentation
1. ADA and Reasonable Accommodation Policy (N0. 50.020.10)
2. Discrimination and Harassment Free Workplace (Statewide Policy No. 50.010.01)
3. Employee and Training Policy
4. Maintaining a Professional Workplace (No. 010.03)

5. Veterans Preference in Employment No. 105.040.0015)
6. Affirmative Action Policy

VII. Appendix B

1. Age Discrimination in Employment Act of 1967 (ADEA)
2. Disability Discrimination Title I of the Americans with Disability Act of 1990
3. Equal Pay and Compensation Discrimination Equal Pay Act of 1963, and Title VII of the Civil Rights Act of 1964
4. Genetic Information Discrimination
5. National Origin Discrimination Title VII of the Civil Rights Act of 1964
6. Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
7. Race/Color Discrimination Title VII of the Civil Rights Act of 1964
8. Religious Discrimination Title VII of the Civil Rights Act of 1964
9. Retaliation Title VII of the Civil Agency Affirmative Action Policy
10. Sex-Base Discrimination Title VII of the Civil Rights Act of 1964
11. Sexual Harassment Title VII of the Civil Rights Act of 1964

COMMUNITY COLLEGES AND WORKFORCE DEVELOPMENT
WORKSOURCE OREGON

Public Service Building

255 Capitol Street NE

Salem, Oregon 97310

Phone (503) 378-8648

Fax (503) 378-3365

http://egov.oregon.gov/CCWD

August 26, 2010

Peggy Ross, Director
Governor's Affirmative Action Office
155 Cottage Street NE
Salem, OR 97301

Dear Ms. Ross,

It is the policy of the Department of Community Colleges and Workforce Development (CCWD) to provide a workplace for its employees that is free from discrimination on the basis of race, color, sex, marital status, age, religion, ancestry, national origin, sexual orientation, or mental or physical disability.

The CCWD Affirmative Action Plan is a key component of the department's ongoing diversity development efforts. We continue to engage in numerous and varied activities in support of our affirmative action goals as we strive to become a leader in the area of affirmative action.

Our affirmative action efforts include reaching across traditional boundaries to ensure the entry and growth of people of color, women, and people with disabilities into our workforce. Each and every employee of CCWD is expected to promote a positive, respectful work place and to appreciate and encourage diversity of backgrounds, situations, and perspectives.

We are pleased to present the CCWD Affirmative Action Plan for the 2011-2013 biennium.

If you have any questions about the plan, please contact Evelyn Roth at (503) 947-2431.

Sincerely,

Camille Preus
Commissioner

Agency Description

A. Mission and Objectives

MISSION: Contribute leadership and resources to increase the skills, knowledge and career opportunities of Oregonians.

The Department of Community Colleges and Workforce Development (CCWD) supports Oregon's strong education and workforce system, providing public stewardship and accountability to federal, state, and local partners.

CCWD administers a broad array of programs and funds to increase the number of career-ready Oregonians with credentials, certificates, and degrees in occupations that are in local demand. In addition to the administration of programs and funding, the Department is working to integrate information from education and workforce partners to provide research, data, and evaluation for training, employment, and workforce development activities. Examples of these programs and funding sources are:

- Adult Basic Skills (Workforce Investment Act Title II, Adult Education and Family Literacy Act).
- Community College Support Fund (CCSF).
- General Education Development (GED) Testing.
- WorkSource Oregon One-Stop Centers' Programs and Services (Workforce Investment Act Title IB, Statewide and Local Workforce Investment Systems: Adult, Youth and Dislocated Worker).
- Oregon Youth Conservation Corps (OYCC).
- Career Technical Education, Post-Secondary (Carl D. Perkins Vocational and Technical Education Act).
- The Governor's Employer Workforce Training Fund (Workforce Investment Act Title IB).

The goals of the agency are to:

- Provide leadership in shaping the education programs and workforce services that benefit individuals, businesses and communities in Oregon.
- Ensure a continuum of comprehensive learning opportunities that enable youth and adults to effectively contribute to our global society.
- Broaden sustainable public access to skills, knowledge and career opportunities.
- Foster innovation in instruction, service delivery and information collection and dissemination.
- Meet public stewardship and accountability expectations to federal, state, and local partners.

The Department supports its partnerships with workforce, education and businesses using the values of:

Collaboration: Work together to resolve issues to meet state and local needs.
Access: Assure that every Oregonian has access to training, education and learning opportunities.

Respect: Value and seek all perspectives.
Responsiveness: Respond in a timely manner to all partners' needs.
Effectiveness: Develop, allocate and leverage resources and measure outcomes for effective service delivery.
Support: Support local service delivery that contributes to statewide expectations and outcomes.

The Department provides support to the State Board of Education, Joint Boards of Education, and the Oregon Workforce Investment Board in their policy development across the education and workforce enterprise.

B. Name of Agency Administrator, address and phone number

Commissioner Camille Preus
255 Capitol Street NE
Public Service Building
Salem, OR 97310
503-947-2433

C. Name of Governor's Policy Advisor for the agency

Margie Lowe, Education & Workforce Policy Advisor
503-986-6528

D. Names of Affirmative Action Representatives and phone numbers

Pam Teschner, Operations Director
503-947-2436

Evelyn Roth, Education & Workforce Youth Liaison
503-947-2431

E. Organizational Chart

Department of Community Colleges and Workforce Development
2009-11 Organization Chart

State Board of Education

Greg White
Exec Staff to Oregon Workforce Inv Board
PEM E

Camille Preus
Commissioner
PEM H

Cheryl Yehling
Executive Support Specialist 2

State Board Facilitation Contract
Connie Green
(Willis & Green)

Anna Gonzalez
Executive Support Specialist 2 + HR

Krissa Caldwell
Deputy Commissioner
PEM G

Contract:
Mark Neeley - Internal Auditor

Pam Teschner
Director of Ops & Human Resources
PEM F

Al Pierce
Information Systems Director
PEM E

Vacant
Education Programs Director
PEM E

David Moore
Literacy & Skill Development Director
PEM E

Karen Humelbaugh
Workforce Programs Director
PEM E

OPERATIONS SYSTEMS

Accounting

Debra Welter
Fiscal Manager
PEMD

Vacant
Accountant 3

Serena Harris
Accountant 2

Jodie Knight
Accountant 2

Vacant
Accounting Tech 3

Pamela Fields
Accounting Tech 2

Budget

Susan Violette
Fiscal Analyst 3

Tyna Beeson
Fiscal Analyst 1

Procurement & Contracts

Robert Jones
Procurement & Contract Specialist 3

Noemi Stuart
Procurement & Contract Specialist 1

Support

Anna Piatt
Administrative Specialist 1 (Fiscal)

61 Positions
60.00 FTE

Ongoing Contracts:
Connie Green - SBE Facilitation
Marilyn Kolodziejczyk - OCCURS
Mimi Maduro - Career Pathways

INFORMATION SYSTEMS

IT, Data, Reporting, Web

David Loos
Information Systems Specialist 7

Michael Judd
Information Systems Specialist 7

Lori Allen
Information Systems Specialist 7

Preet Gogia
Information Systems Specialist 7

Lisa Loeffler
Information Systems Specialist 6

Terry Bouie
Information Systems Specialist 5

Research

EJ Ayers
Operations and Policy Analyst 4

Paul Schroeder
Research Analyst 4

Vacant
Research Analyst 2

Support

Linda Hutchins
Administrative Specialist 2

OCCURS Contract

Marilyn Kolodziejczyk
(Rogue Community College)

EDUCATION SYSTEMS

Community College Liaison Team

Larry Cheyne
Education Program Specialist 2

Shalee Hodgson
Education Program Specialist 2

Donna Lewelling
Program Analyst 2 CC + Title IB Coord

Vacant
Education Program Specialist 2
.5 FTE

Youth

Evelyn Roth
Operations and Policy Analyst 4

Oregon Youth Conservation Corps

John Asher
Program Analyst 4

Doug Denning
Program Analyst 3

Vacant
Program Analyst 1 - LD

Support

Jennifer Denning
Office Specialist 2 (OYCC)

Wendy Acton
Office Specialist 1

Career Pathways Contract

Mimi Maduro
(Columbia Gorge Community College)

Temp:
Elaine Yandle-Roth - Community College Team

LITERACY AND SKILL DEV SYSTEMS

Adult Basic Skills Team/WIA Title II

Mary Jane Bagwell
Education Program Specialist 2

Jenni Newby
Education Program Specialist 2

Toshihiko Murata
Program Analyst 3

Career Readiness Certification

Todd Nell
Operations and Policy Analyst 3

Debbie Moller
Program Analyst 3

GED

Marque Haeg
Program Analyst 3

Nancy Archer
Education Program Specialist 2
.2 FTE

Support

Susan Vath
Office Specialist 2 (ABS)

Linda Sozzi
Office Specialist 2 (GED)

Note: Position #930 .7 FTE
Shared between GED and CC Liaisons

WORKFORCE SYSTEMS

WIA Title IB Team

Vacant
Operations and Policy Analyst 4

Kathy Wilcox
Program Analyst 3

Kurt Tackman
Program Analyst 3

Mike McCoy
Program Analyst 3

Theresa Fitzgerald
Program Analyst 3

Wayne Fanno
Education Program Specialist 2 + CC Liaison

SESP

Tom Cope
Operations and Policy Analyst 3 - LD

Dislocated Worker Unit

Laura Roberts
Program Analyst 3

Rachel Soto
Program Analyst 3

John Blanton
Program Analyst 3

Vacant
Operations and Policy Analyst 2

Support

Kristi Bowman
Exec Support Specialist 2 - OWIB Exec Asst

Patricia Remington
Office Specialist 2 (Receptionist)

Temps:
Al Newnam - Workforce Systems
Chesta Bauer - Workforce Systems

II. Affirmative Action Plan

A. Agency Affirmative Action Policy Statement:

1. "The Oregon Department of Community Colleges and Workforce Development (CCWD) is committed to establishing and maintaining a diverse workforce, reflective of the diverse population within the State of Oregon. CCWD is committed to an affirmative action program that provides equal opportunities for all persons regardless of race, color, religion, sex, sexual orientation, national origin, marital status, age and disability.

2. It is also the policy of CCWD to provide an environment for each applicant and employee free from sexual harassment, as well as harassment and intimidation on account of an individual's race, color, religion, gender, sexual orientation, national origin, age, and disability.

3. CCWD's commitment toward affirmative action and diversity in the workplace is realized through a variety of programs and measures.
   - CCWD is an equal-opportunity employer that is committed to a pro-active role in the recruitment and selection process. CCWD will use diverse recruitment strategies to identify and attract candidates, and establish interview panels that represent protected-class groups whenever possible.
   - CCWD is committed to providing broad and culturally enriched training, career growth and developmental opportunities to all employees on an equal basis, enabling them to further advance and promote their knowledge, skills, abilities and their value of diversity.

B. Affirmative Action Policy Statement for Individuals with Disabilities

CCWD will not discriminate, nor tolerate discrimination, against any applicant or employee because of physical or mental disability in regard to any position for which the known applicant for employment is qualified.

CCWD agrees to take affirmative action to employ, advance in employment, and otherwise treat known qualified individuals with disabilities without regard to their physical or mental disabilities in all human resources selection and decision practices, such as: advertising, benefits, compensation, discipline (including probation, suspension, and/or termination for cause or layoff), employee facilities, performance evaluation, recruitment, social/recreational programs, and training. CCWD will also continue to administer these practices without regard to race, color, religion, gender, sexual orientation, national origin, age or disability.

Additionally, all applicants and employees are protected from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation under this policy.

C. Affirmative Action Policy for Members Uniform Services (ORS 659A.082)

CCWD will not discriminate or tolerate discrimination, against any employee because they are a member of, apply to be a member of, perform, has performed, applied to perform or have an obligation to perform service in a uniformed service.

D. Harassment Policy and Complaint Procedure

In addition to the DAS State policy titled Discrimination and Harassment Free Workplace, CCWD also maintains a policy titled *Harassment-Free/Violence-Free Workplace*, Policy Number: 586-007.

This policy states that CCWD will provide a work environment free from unlawful discrimination on the basis of race, color, religion, sex, marital status, national origin, disability, age, or any other factor employers are prohibited by law from considering when making employment decisions. This policy applies to all matters relating to hiring, firing, transfer, promotion, benefits, compensation, and other terms and conditions of employment.

It is also the policy of CCWD that all employees, customers, clients, contractors and visitors to the work site enjoy a positive, respectful and productive work environment, free from behavior, actions or language that constitute workplace harassment. Harassment is prohibited, whether between managers and subordinates; or between employees and clients, contractors, the public, or co-workers.

Grievance/Complaint Procedure:
For workplace harassment**:** Any employee who is subject to or is aware of workplace harassment should report that information immediately to agency management. The report may be made orally or in writing to the employee's immediate supervisor or to a higher management staff member if the employee prefers. In the alternative, the report may be given to an assistant commissioner. (Note: Incidents involving violence, threats of violence or other matters deemed substantial by a supervisor shall be reported immediately to an assistant commissioner.) Employees may report to any of the persons listed above and need not observe any particular chain of command. If the complainant desires, an investigation shall be conducted according to the investigation portion of this policy. If an investigation is not requested, the supervisor and employee shall document the incident.

For discrimination complaints:
Any employee who believes that employment-related discrimination was directed toward him/her by a member or representative of agency management may file a complaint with an assistant commissioner. Please submit complaints in writing except for reasons of disability. The complaint should be filed with the agency within 30 calendar days of the alleged act.

Complaints shall include the name of the complainant, the name of the person(s) alleged to have engaged in the prohibited conduct, a specific and detailed description of the conduct that the employee believes is discriminatory, and a description of the relief requested. An investigation shall be conducted according to the investigation section of this policy.

E. ADA and Reasonable Accommodation in Employment and Workplace

In addition to the DAS State policy titled ADA and Reasonable Accommodation in Employment, CCWD also maintains a policy titled *Reasonable Accommodations for People with Disabilities*, Policy Number: 586-016.

This policy states that CCWD will reasonably accommodate qualified individuals with disabilities. In accordance with the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Reasonable Accommodation**:**
A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

a. To assure equal opportunity in the employment process;
b. To enable a qualified individual with a disability to perform the essential functions of a job; and
c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

F. Training, Education and Developmental Plan (TEDP)

State Policy: 50.045.01, Employee Development and Implementation of Oregon Benchmarks for Workforce Development and CCWD Policy Number: 586-021 both promotes employee career growth.

CCWD actively works to provide promotional opportunities that either use existing skills in a different setting or supports employees in the acquisition of new skills, be it both formal classroom training, job rotations, various work projects or

experiences and educational or continuing education opportunities. All employees have formal performance evaluations on a yearly basis.

1. Employees -
    - Affirmative Action Plan including the agency's AA Statement is posted agency website home page
    - All staff has access to training opportunities per agency Training Policy 586-021
    - CCWD New Employee Orientation is provided within first month of employment to new employees as well as assignment of staff to guide them through their first days of employment at the agency and to answer any questions.
    - There is an annual presentation and review of Affirmative Action Plan at one of the six annual All-Staff meetings per year. All employees are required to attend the All-Staff meetings and meeting notes are posted on agency Shared Drive for access by all employees.
    - CCWD staff present diverse warm up exercises at All Staff meetings scheduled every two months.

2. Volunteers – No current volunteers

3. Contractors/Vendors – CCWD does not currently provide diversity training to vendors. CCWD vendors are notified of CCWD's EEO policy via our electronic EEO clause.

4. Trainings - Cultural diversity and preventative trainings:

    The Operations Director attends meetings and other trainings pertaining to human resource and diversity. This biennial seminars, trainings and events include:
    - OSPMA meetings/trainings
    - Affirmative Action Workgroup
    - The Operations Director debriefs agency Management Team at weekly Management Team Meetings.

    Oregon's 17 Community Colleges, 19 Adult basic Skills Programs and seven Local Workforce Partners receive training per college and board policy. EEO trainings are offered and provided by Oregon's Equal Opportunity Officer from Oregon Employment Department, one of CCWD's workforce partners.

    Succession Planning – currently there is no formal succession plan. However, this is an area that CCWD's Management Team will be focusing on in the coming biennium as a large percentage of the existing management team will be eligible for retirement within the next several years.

G. Programs

1. Internship Programs – While CCWD does not have a formal internship program, we do hire interns when both work and physical space is available. Currently we have one intern working with the National Career Readiness Certificate team and one student worker in the GED team. In the past we have utilized The Performance Intern Program through Portland State University which is operated by George Beard. As more office space is available, we hope to again utilize other internship programs such as Intern Oregon, sponsored by DAS and various summer internships programs with local high schools. All interns are encouraged to apply for any job openings they may be qualified for as vacancies occur.
2. Community Outreach Program – CCWD does not have community outreach programs.
3. Diversity Awareness Program - The CCWD Affirmative Action Representative electronically sends out Affirmative Action announcements of events, trainings and proclamations received on a regular basis from the Governor's Affirmative Action Office. Diversity quizzes obtained from the monthly Governor's AA Office Workshops are used at the bi-monthly All-Staff meetings as a short training exercise. There are currently no self-evaluations in use for staff although if requested, some would be provided as would adoptions of policies or practices to accommodate diverse needs of agency staff.

H. Update: Executive Order 08-18

a. Cultural Competency Assessment and Implementation Services:
CCWD is committed to the goals of enriching the diversity of the agency and increasing the level of cultural competency, both internally and throughout our customer and partner base. We have not completed the Cultural Competency Assessment at this time due to budget and staff constraints but this is something we may consider in the future.

b. Statewide Exit Interview Survey:
CCWD encourages all employees to complete the DAS web-based exit interview survey tool prior to their transfer or departure. To date, we have not received any feed-back from exit interviews from previous staff.

c. Performance Evaluation of all Management Personnel:

Managers are evaluated yearly to assess how well they foster a diverse workforce. Evaluation criteria includes:

- Education of the agency workforce on diversity issues (i.e. training and communication).
- Recruitment and selection efforts (recommendations for advertising or marketing open recruitments).

- Retention (what the manager does to identify and ensure employees are provided appropriate tools for success).

The CCWD Commissioner is evaluated on a yearly basis by the Oregon State Board of Education. This process also includes the above evaluation criteria.

I. Status of Contracts to Minority Businesses (ORS 659A.015)

CCWD provides notice to certified firms for all competitive solicitations through the Oregon Procurement Information Network (ORPIN). Contractors and Vendors are notified of CCWD's EEO policy via our electronic EEO clause. Below is the list of Registered Women and Minority Owned Businesses that CCWD contracted with during the 2009-2011 biennium including the name of the contract.

3E Strategies	Green Jobs Revitalization Initiative 09-10 Preliminary Work
Willis Green & Associates, Inc.	SBE Facilitation & Consulting Services
Terri Johanson	Healthcare Education Program Development Activities
DevMecca, Inc.	Webforms - CC Course Approval System - maint, development & web-hosting
DevMecca, Inc.	Webforms - CC "E-Handbook" & CPSS development, maintenance & web-hosting
MJB Management, LLC	Healthcare Education Program Development
Kristen Kulongoski	Adult High School Diploma
Key Links, Inc.	CRC Supply-side Policy Analysis Consulting
Key Links, Inc.	OWIB Manufacturing Workforce Project
Agnes Balassa	CRC Supply-side Policy Analysis Consulting
Agnes Ballassa Solutions, LLC	NCRC Local Employer Outreach Coordinator Services
Rita Conrad	CRC Performance Indicators & Management Development
Brenda Brecke	Oregon NCRC Initiative Infrastructure Analysis
Kira Higgs Consulting	CRC Communication Coordinator
Kira Higgs	Strategic Communications /Marketing Plan
Rita Conrad	CRC Indicators

Vena Long	ABS Learning Standards Expert Reviewer
TERC (Mary Jane Schmitt)	ABS Learning Standards Expert Reviewer
Miriam Kroeger	ABS Learning Standards Expert Reviewer
Betsy Parrish	ABS Learning Standards Expert Reviewer
Heide Wrigley	ABS Learning Standards Expert Reviewer
Julie Burton	Ocean Sciences & Math 2008-09
Patricia J Jackson	Ocean Sciences & Math 2008-12
Leonora T Kent	Ocean Sciences & Math 2008-13
Theresa L North	Ocean Sciences & Math 2008-15
Joni L Ortiz	Ocean Sciences & Math 2008-16
Shannon N Sims	Ocean Sciences & Math 2008-18
Uta M Stelson	Ocean Sciences & Math 2008-19
Nancy L Taylor	Ocean Sciences & Math 2008-20
Karen S Wade	Ocean Sciences & Math 2008-21
Jodi Tanner	WIA / Wagner-Peyser State Plan Writing
Stephanie Brewer	Career Readiness Initiative "Success Metrics"
Jodi Tanner-Tell	State Energy Sector Partnership Grant Writing Services

III. Roles for Implementation of Affirmative Action Plan

A. Responsibilities and Accountabilities

1. Commissioner and Deputy Commissioner: direct and supervise all activities of the department of Community Colleges and Workforce Development. The commissioner reports to the State Board of Education annually and biennially to the Legislative Ways and Means Committee, on the progress and outcomes of the Department's Affirmative Action Plan. The Deputy Commissioner directs agency affirmative action functions, ensuring agency plan, targets and goals are followed, implemented and achieved. The Deputy conducts all final interviews to ensure there is no intended or unintended bias.

2. Managers and Supervisors:
    - Foster and promote the importance of a diverse workforce free of discrimination and harassment to staff.
    - Ensure subordinates receive an orientation on the agency's affirmative action goals and responsibilities and understand their own responsibilities for helping promote diversity and a harassment free work environment
    - Work with CCWD Operations Director, following agency and State of Oregon procedures and rules in filling of vacancies.
    - Managers are evaluated yearly to assess how well they foster a diverse workforce. Evaluation criteria includes:
        - Education of the agency workforce on diversity issues (i.e. training and communication).
        - Recruitment and selection efforts (recommendations for advertising or marketing open recruitments).
        - Retention (what the manager does to identify and ensure employees are provided appropriate tools for success).

3. Operations Director (Affirmative Action Representative):
    - Reports directly to both the CCWD Commissioner and Deputy Commissioner.
    - This position shares the responsibility of educating outreach, development of hiring criteria, encouraging diversity through human resource activities including recruitment, interviewing, hiring and retention processes.
    - This position ensures employees receive and engage in a thorough orientation to CCWD and to state government; this includes review of AA and EEO policy with employees during New Employee Orientation.
    - Responsible for scheduling of EEO/AA and ADA trainings for All Staff meetings, report CCWD EEO complaints log and reporting progress or areas needing improvement to management team members.
    - Promotes and oversees effective retention practices using the Affirmative Action Plan.
    - Investigates and addresses complaints.
    - Performs ongoing evaluation of plan and recommends changes to Management Team.

IV. July 1, 2009 – June 30, 2011

A. Accomplishments

1. Staff Professional Development Opportunities - Over the last biennium, from a total of 58 agency employees, eight have been promoted up to higher

classifications and an additional seven employees have taken advantage of agency support for continuing education. Samples of those agency supported trainings are below:

- Associate of Arts degree
- Leadership Oregon (Class of 2009)
- OR Institute for Leadership Development
- Advanced Word courses
- Bachelor of Arts degree
- State Procurement and Department of Justice Trainings
- Accounting classes

2. Disability Program Navigator (DPN) Initiative: Navigators serve as experts on workforce development issues and policies impacting individuals with disabilities who are seeking employment, skill development, job retention assistance, or career advancement through Oregon's One-Stop Career Center system. The Navigator develops linkages and collaborates on an ongoing basis with employers to facilitate job placements for employment support programs. The Navigator also serves as a resource to the workforce investment community and Local Navigators within their service area to ensure the availability of comprehensive knowledge on Federal, State, local and private programs that impact the ability of individuals with disabilities to enter and remain in the workforce. The Navigator facilitates universal access to the One-Stop system for individuals with disabilities. Navigators assist jobseekers in breaking down barriers to employment by providing access to resources such as Career and Resource Mapping Workshops, resource coordination and assistance in negotiating Integrated Resource Teams. Navigators also provide introduction to an underutilized labor pool, tax savings information, and conduct outreach to agencies/organizations that serve people with disabilities.

   The Disability Program Navigator Initiative is a federally funded program sponsored by the Department of Labor through a grant awarded to the Oregon Department of Community Colleges and Workforce Development. The Disability Program Navigator Initiative is currently funded through June 30, 2010. A grant proposal for additional funding to serve this population is expected at any moment from the US Department of Labor and it is anticipated that CCWD, along with partners from the workforce system will be applying for these funds.

   CCWD subcontracted with the seven Local Workforce Investment Areas (LWIAs) located throughout Oregon. There was one Program State Lead and one Administrative State Lead. The Administrative State Lead was employed by CCWD, and nine Navigators, including the Program State Lead were employed by the LWIAs.

   The Navigators have nurtured relationships that were started as a result of the Workforce Investment Act and as a result of Oregon's strategic approach.

Many relationships that previously existed have been strengthened. Examples are the working relationships between the Office of Vocational Rehabilitation Services (OVRS), WIA Title IB Service Providers, Oregon Employment Department (OED) and the TANF and Food Stamp programs. Navigators have generated greater collaboration between local and state agencies. In some instances these relationships had previously never existed. Examples include: developing a relationship with the Oregon Business Leadership Network (OBLN), arranging for partners and customers to meet with benefits planners in both rural and metropolitan communities, including mental health and substance abuse providers in the workforce arena and sponsoring disability training and workshops for all agencies, businesses and community members. Navigators provide specialized assistance and guidance to available resources to help the WorkSource Center staff better meet the needs of jobseekers with disabilities and others experiencing barriers to employment. An example of this might be training and advising staff on how to meet the needs of a customer who is deaf or providing guidance on jobsite accommodations. Navigators also serve as a resource for services that reach beyond the ability of the Center.

Navigators have made great headway connecting One-Stop Career Center partners, staff and participants to the Youth Transition Program (YTP), Veteran's Administration, brokerages, faith based organizations and Goodwill and The Salvation Army.

3. Recruitment: CCWD has expanded its "diversity network" of contacts and relationships with individuals, organizations and commissions dedicated to the advancement of diverse and minority populations; maintaining direct and regular interaction with these individuals and groups (i.e. OSPMA, AA Workgroup, Statewide Operations Director meetings). Results of this network include:

    - Increased pool of diverse applicant's, diverse candidates for temporary and/or limited duration positions.
    - Identifying opportunities for internships and targeting diverse candidates at Oregon post secondary institutions, workforce agencies or area high schools (i.e. Promise Internship).
    - Pursues opportunities for CCWD management staff to mentor diverse students and adults through area high schools, post secondary schools, local businesses, Workforce Investment programs, Oregon Youth Conservation Corps and other available statewide resources.
    - Distributes announcements to the DAS Diversity Representative, college placement centers, all-staff and WorkSource Oregon Centers.
    - In attempts to foster a more diverse workplace, Affirmative Action Representative consults with hiring manager regarding possible placing announcement news papers throughout the state.

4. Oregon Youth Conservation Corp (OYCC)
    - Provided funding for Confederated Tribes of Grande Ronde Native American youth for work in both school year and summer conservation corps jobs. The tribes hired five youth last school year and 18 youth in Polk County last summer.
    - Developed an interagency agreement with ODOT Office of Civil Rights to provide workforce and education experiences for youth.
    - A local Canby program translated all OYCC documentation into Spanish for use by non-English speaking youth. They provided funding for Confederated Tribes of Warm Springs Native American youth for work in summer conservation jobs. Eight Tribal youth and two adult crew leaders spent summer 2010 working on the Pacific Crest Trail in a partnership with OYCC the US Forest Service and the Pacific Crest Trail Association.
    - OYCC added a cultural diversity component to the training piece of their annual crew leader teacher trainings.

5. Oregon Workforce Investment Board (OWIB)
    - OWIB appointed a member to sit on the Oregon Disabilities Commission
    - All OWIB initiatives include attention to special populations including people with disabilities and people of color.

6. Management staff attend the Government to Government Tribal Education Cluster Committee on a regular basis. CCWD, along with state education entities in conjunction with the nine Oregon Tribes, have been involved in various projects and activities during the last two years which include regularly scheduled meetings.

    The activities include maintaining coordination with the Oregon Indian Coalition for Post Secondary Education and working with OICPSE and other organizations to promote information on financial aid, admission processes and tuition rates. The cluster reviewed the draft of Tribal Expectations for Colleges and provided comments to OICPSE. The Education Cluster worked with Higher Education and the Chancellor's office on a policy letter regarding the use of Native Languages in admissions and course credit. The purpose of this activity is to reach agreement on a statement that can be used with high school students and parents, counselors, teachers and admissions officers and to clarify how the study of Native Languages can be used for college credit.

    Additional agency accomplishments include:

    - Intergovernmental agreement between CCWD and OED for Oversight services, in like kind, of EEO investigations if they arise.

- Intergovernmental agreement between CCWD and OED for shared administrative costs of Statewide EOO Representative.
- Sponsoring Take Your Child to Work Day activities to encourage young women to explore various career opportunities

B. Progress made or lost since previous biennium:

The affirmative action goals for the Department of Community Colleges and Workforce Development are based on an analysis of employment patterns and practices, with particular attention given to representation/under-representation of women, people of color, and people with disabilities. An analysis of summary data provided by the Department of Administrative Services as of June 30, 2010, which weights the job group parity percentages based on the number of employees within each job group, reveals the following:

1. The agency's ***gender representation*** consists of 62% women and 38% men, a reduction of five percent women from the July 2009 baseline. The agency continues to exceed parity in "Management/Professional" categories, and also exceeds parity in middle and lower salary ranges. The agency meets parity goals for women in the workforce.
2. The agency's representation of ***people of color*** is 9%, holding level from the July 2009 baseline percentage with one person of color at upper management level. Our steady rate indicates that we need to continue to recruit people of color. In addition, representation in the "Professionals" job group category continues to be an area where improvement is needed.
3. Representation of ***people with disabilities*** remains at 2%. As with the above POC category, representation in the "Professionals" categories continues to be an area where improvement is encouraged.

VI. July 1, 2011 – June 30, 2013

A. Goals and Action Plan: To increase diversity of our staff, CCWD is applying active strategies in alignment with ORS 243.305 Policy of affirmative action and fair and equal employment opportunities and advancement, CCWD's collective bargaining agreement and DAS recruitment policies and guidelines. Increasing workplace diversity and awareness efforts will include:

1. Developing volunteer membership for a CCWD Affirmative Action Workgroup, dedicated to the advancement of diversity; recommending improvements in meeting affirmative action goals and better diversity within the agency.
    - CCWD's Affirmative Action Workgroup will develop milestones and strategies to move the agency to meet statewide parity in diversity. CCWD's Workgroup will work toward accountability of advertising and hiring.

2. Management staff will review diversity efforts monthly at Management Team meetings. The team will also review quarterly affirmative action reports in this forum. Items of diversity will be added to agenda.
3. Operations Director, in collaboration with the Management Team and the CCWD Affirmative Action Workgroup, will facilitate racial, ethnic, and gender fairness and develop a training plan to educate and encourage diversity among:
    - Hiring managers:
        - To ensure there is no intended or unintended bias imbedded in required qualifications or in application or interview questions.
        - To heighten awareness of diversity issues, such as policies against discrimination, barriers in the hiring process, and workplace dynamics, for more effective recruitment, hiring and retention.
        - Receive training in Affirmative Action Plan concepts.
        - Will include affirmative action and diversity responsibilities in their job descriptions.
        - Apply such philosophy in their day-to-day work; and that management effectiveness in taking affirmative action is included in annual performance appraisals, in compliance with ORS 659.025(1) *"To achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, disability or age, every state agency shall be required to include in the evaluation of all management personnel the manager's or supervisor's effectiveness in achieving affirmative action.*
    - Classified staff:
        - To educate and encourage diversity among those who are hired or appointed so they may assist in identifying and removing barriers that hinder or prevent a diverse work environment.
        - Assign a peer mentor;
    - Affirmative Action Representative will ensure:
        - Employees receive and engage in a thorough orientation to CCWD's affirmative action policy, goals and employee's role in contributing to a diverse workforce free of harassment
        - Require new employees to be an active member of the New Employee Cohort for one year.
        - Assign a peer mentor to new employee who will check in regularly and provide needed coaching.
        - Annual review, revision and adoption of the Plan by the Labor Management Committee and the management team.

- Coordinate annual presentation and review of the plan at:
  - All-Staff meeting; additionally, CCWD will place a diversity related agenda item at All Staff meetings twice a year.
  - State Board of Education meeting.
- Encourage all employees to complete the DAS web-based exit interview survey tool prior to their transfer or departure.
- Post the Affirmative Action Plan on the CCWD website.
- Public announcement of the Plan and its availability on the web, to partners and state agency personnel.
- The Commissioner will include the biennial affirmative action report information to the legislature as part of the regular Ways and Means presentation.

B. All timelines are as listed in the goals section specified by area of responsibility. The plan will be posted to CCWD website upon approval of the plan from the Governor's Affirmative Action Office.

VI. Appendix A

A. Agency's Policy Documentation
1. ADA and Reasonable Accommodation in Employment (No. 50.020.10)
2. Discrimination and Harassment Free Workplace (No. 50.010.01)
3. Employee and Training Policy (586-021)
4. Maintaining a Professional Workplace (No. 010.03)
5. Veterans Preference in Employment (105.040.0015)
6. Affirmative Action Policy (585-025)

In addition to these policies, CCWD places EEO statement on all recruitment announcements and outgoing correspondence.

1. Reasonable Accommodations for People with Disabilities; policy 586-016 (effective March 12, 2005):

American Disability Act (ADA) Web Links:
a. American Disability Act Home Page: http://www.usdoj.gov/crt/ada/adahom1.htm
b. ADA Law Updates: http://www.usdoj.gov/crt/ada/new.htm
c. ADA Regulations: http://www.usdoj.gov/crt/ada/publicat.htm

Policy:

It is the policy of this agency to reasonably accommodate qualified individuals with disabilities. In accordance with the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when

such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Purpose:

The Department of Community Colleges and Workforce Development is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process.

Applicability:

This policy applies to all employees of CCWD.

Clarification:

The policies stated here are not intended to be all-inclusive of the Americans With Disabilities Act. If this policy is found to be in conflict with state or federal law, those laws will supersede this policy.

For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that materially or substantially limits one or more major life activities.

Reasonable Accommodation:

A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

a. To assure equal opportunity in the employment process;
b. To enable a qualified individual with a disability to perform the essential functions of a job; and
c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Qualified Individuals with Disabilities:

Title II of the Americans with Disabilities Act provides comprehensive civil rights protections for "qualified individuals with disabilities." An "individual

with a disability" is a person who --

a. Has a physical or mental impairment that substantially limits a "major life activity"; or
b. Has a record of such an impairment; or
c. Is regarded as having such impairment.

Examples of physical or mental impairments include, but are not limited to, such contagious and non contagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease, tuberculosis, drug addiction, and alcoholism. Homosexuality and bisexuality are not physical or mental impairments under the ADA.

"Major life activities" include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Individuals who currently engage in the illegal use of drugs are not protected by the ADA when an action is taken on the basis of their current illegal use of drugs.

Communications:

State and local governments must ensure effective communication with individuals with disabilities.

Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, the public entity must provide appropriate auxiliary aids.
"Auxiliary aids" include such services or devices as qualified interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for deaf persons (TDD's), videotext displays, readers, taped texts, Brailed materials, and large print materials. A public entity may not charge an individual with a disability for the use of an auxiliary aid.

Telephone emergency services, including 911 services, must provide direct access to individuals with speech or hearing impairments.

Public entities are not required to provide auxiliary aids that would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. However, public entities must still furnish another auxiliary aid, if available, that does not result in a fundamental alteration or undue burdens.

A list of local vendors that provide auxiliary formats are located at: ADA Compliance Vendor for Braille & alternative formats.doc (CCWD / CCWD

Procedures Manual / Individual Procedures / Miscellaneous / ADA Compliance Vendor for Braille & alternative formats.doc)

Exceptions:
Exceptions are made on a case-by-case basis in compliance with court rulings.

2. **DAS Harassment Free Policy (Statewide Policy No. 50.010.01)** ***Following pages***

DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

Statewide Policy

SUBJECT:	Discrimination and Harassment Free Workplace	NUMBER:	50.010.01
DIVISION:	Human Resource Services Division	**EFFECTIVE DATE:**	**01/25/08**
APPROVED:	**Signature on file with Human Resource Services Division**		

POLICY STATEMENT: **The State of Oregon is committed to a discrimination and harassment free work environment. This policy outlines types of prohibited conduct and procedures for reporting and investigating prohibited conduct.**

AUTHORITY: ORS 174.100, 240.086(1); 240.145(3); 240.250; 240.316(4); 240.321; 240.555; 240.560; 659A.029; 659A.030; Title VII; Civil Rights Act of 1964; Executive Order EO-93-05; Rehabilitation Act of 1973; Employment Act of 1967; Americans with Disabilities Act of 1990; **and 29 CFR §37**.

APPLICABILITY: All employees, state temporary employees and volunteers.

ATTACHMENTS: None

DEFINITIONS: See also HRSD State Policy 10.000.01, Definitions; and OAR 105-010-0000

Collective Bargaining Agreement (CBA): A written agreement between the State of Oregon, (Department of Administrative Services) and a labor union. References to CBAs contained in this policy are applicable only to employees covered by a CBA.

Complainant: A person or persons allegedly subjected to discrimination, workplace harassment or sexual harassment.

Contractor: For the purpose of this policy, a contractor is an individual or business with whom the State of Oregon has entered into an agreement or contract to provide goods or services. Qualified rehabilitation facilities who by contract provide temporary workers to state agencies are considered contractors. Contractors are not subject to ORS 240 but must comply with all federal and state laws.

Discrimination: Making employment decisions related to hiring, firing, transferring, promoting, demoting, benefits, compensation, and other terms and conditions of employment, based on or because of an employee's protected class status.

Employee: Any person employed by the state in one of the following capacities: management service, unclassified executive service, unclassified or classified unrepresented service, unclassified or classified represented service, or represented or unrepresented temporary service. For the purpose of this policy, this definition includes board and commission members, and individuals who volunteer their services on behalf of state government.

Higher Standard: Applies to managers and supervisors. Proactively taking an affirmative

posture to create and maintain a discrimination and harassment free workplace.

Manager/Supervisor: Those who supervise or have authority or influence to effect employment decisions.

Protected Class Under Federal Law: Race; color; national origin; sex (includes pregnancy-related conditions); religion; age (40 and older); disability; a person who uses leave covered by the Federal Family and Medical Leave Act; a person who uses Military Leave; a person who associates with a protected class; a person who opposes unlawful employment practices, files a complaint or testifies about violations or possible violations; and any other protected class as defined by federal law.

Protected Class Under Oregon State Law: All Federally protected classes, plus: age (18 and older); physical or mental disability; injured worker; a person who uses leave covered by the Oregon Family Leave Act; marital status; family relationship; sexual orientation; whistleblower; expunged juvenile record; and any other protected class as defined by state law.

Sexual Harassment: Sexual harassment is unwelcome, unwanted, or offensive sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1) Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment, or is used as a basis for any employment decision (granting leave requests, promotion, favorable performance appraisal, etc.); or

2) Such conduct is unwelcome, unwanted or offensive and has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of sexual harassment include but are not limited to: unwelcome, unwanted, or offensive touching or physical contact of a sexual nature, such as, closeness, impeding or blocking movement, assaulting or pinching; gestures; innuendoes; teasing, jokes, and other sexual talk; intimate inquiries; persistent unwanted courting; sexist put-downs or insults; epithets; slurs; or derogatory comments.

Sexual Orientation under Oregon State Law: An individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth.

Workplace Harassment: Unwelcome, unwanted or offensive conduct based on or because of an employee's protected class status.

Harassment may occur between a manager/supervisor and a subordinate, between employees, and among non-employees who have business contact with employees. A complainant does not have to be the person harassed, but could be a person affected by the offensive conduct.

Examples of harassing behavior include, but are not limited to, derogatory remarks, slurs and jokes about a person's protected class status.

POLICY

(1)The State of Oregon is committed to a discrimination and harassment free work environment. This policy outlines types of prohibited conduct and procedures for reporting and investigating prohibited conduct.

(a) Discrimination, Workplace Harassment and Sexual Harassment. The State of Oregon provides a work environment free from unlawful discrimination or workplace harassment based on or because of an employee's protected class status. Additionally, the state of Oregon provides a work environment free from sexual harassment. Employees at every level of the organization, including state temporary employees and volunteers, must conduct themselves in a business-like and professional manner at all times and not engage in any form of discrimination, workplace harassment or sexual harassment.

(b) Higher Standard. Managers/supervisors are held to a higher standard and are expected to take a proactive stance to ensure the integrity of the work environment. Managers/supervisors must exercise reasonable care to prevent and promptly correct any discrimination, workplace harassment or sexual harassment they know about or should know about.

(c) Reporting. Anyone who is subject to or aware of what he or she believes to be discrimination, workplace harassment, or sexual harassment should report that behavior to the employee's immediate supervisor, another manager, or the agency, board, or commission Human Resource section, Executive Director, or chair, as applicable. A report of discrimination, workplace harassment or sexual harassment is considered a complaint. A supervisor or manager receiving a complaint should promptly notify the Human Resource section, Executive Director, or chair, as applicable.

(A) A complaint may be made orally or in writing.

(B) A complaint must be filed within one year of the occurrence.

(C) An oral or written complaint should contain the following:

(i) the name of the person filing the report;

(ii) the name of the complainant;

(iii) the names of all parties involved, including witnesses;

(iv) a specific and detailed description of the conduct or action that the employee believes is discriminatory or harassing;

(v) the date or time period in which the alleged conduct occurred; and

(vi) a description of the remedy the employee desires.

(d) Other Reporting Options. Nothing in this policy prevents any person from filing a formal grievance in accordance with a CBA, or a formal complaint with the Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC) **or if applicable, the United States Department of Labor (USDOL) Civil Rights Center**. However, some CBAs require an employee to choose between the complaint procedure outlined in the CBA and filing a BOLI or EEOC complaint.

(e) Filing a Report with the USDOL Civil Rights Center. An employee whose position is funded by the Oregon Workforce Investment Act (WIA), such as employees of the Oregon Workforce One-stop System, may file a complaint under the WIA, Methods of Administration (MOA) with the State of Oregon WIA, MOA Equal Opportunity Officer or directly through the USDOL, Civil Rights Center. The

complaint must be written, signed and filed within 180 days of when the alleged discrimination or harassment occurred.

(f) **Investigation.** The agency, board, or commission Human Resource section, Executive Director, or chair, as applicable, will coordinate and conduct or delegate responsibility for coordinating and conducting an investigation.

(A) All complaints will be taken seriously and an investigation will be initiated as quickly as possible.

(B) The agency, board or commission may need to take steps to ensure employees are protected from further potential discrimination or harassment.

(C) Complaints will be dealt with in a discreet and confidential manner, to the extent possible.

(D) All parties are expected to cooperate with the investigation and keep information regarding the investigation confidential.

(E) The agency, board or commission will notify the accused and all witnesses that retaliating against a person for making a report of discrimination, workplace harassment or sexual harassment will not be tolerated.

(F) The agency, board or commission will notify the complainant and the accused when the investigation is concluded.

(G) Immediate and appropriate action will be taken if a complaint is substantiated.

(H) The agency, board or commission will inform the complainant if any part of a complaint is substantiated and that action has been taken. The complainant will not be given the specifics of the action.

(I) The complainant and the accused will be notified by the agency, board or commission if a complaint is not substantiated.

(g) **Penalties.** Conduct in violation of this policy will not be tolerated.

(A) Employees engaging in conduct in violation of this policy may be subject to disciplinary action up to and including dismissal.

(B) State temporary employees and volunteers who engage in conduct in violation of this policy may be subject to termination of their working or volunteer relationship with the agency, board or commission.

(C) An agency, board or commission may be liable for discrimination, workplace harassment or sexual harassment if it knows of or should know of conduct in violation of this policy and fails to take prompt, appropriate action.

(D) Managers and supervisors who know or should know of conduct in violation of this policy and who fail to report such behavior or fail to take prompt, appropriate action may be subject to disciplinary action up to and including dismissal.

(E) An employee who engages in harassment of other employees while away from the workplace and outside of working hours may be subject to the provisions of this policy if that conduct has a negative impact on the work environment and/or working relationships.

(F) If a complaint involves the conduct of a contracted employee or a contractor, the agency, board, or commission Human Resource section, Executive Director, chair, or designee must inform the contractor

3. Employee Training: Policy #586-021 (Effective date May 10, 2005)

Policy:

It is the policy of CCWD to provide training opportunities for all staff in order to carry out the mission and goals of the agency.

Purpose:

Develop a training policy for CCWD staff members.

Applicability:

This policy applies to all full-time, permanent employees or agents of CCWD.

Clarification:

CCWD has two types of training opportunities—required and optional.

All training must be pre-approved.

Required Training *(Examples:* SFMS, BRIO, Visual Studio, MS office, Technical Writing):

- Training is considered required when:
  - Employees are unable to do their jobs without the training; or
  - The agency cannot meet its mission unless the employee receives the training.
- Required training is determined by agency need.
- There is no dollar cap; however, the most cost-effective training must be considered.
- Required training may be requested one of two ways: in writing by an employee or assigned to an employee by a manager.

For *required training requests,* the employee or supervisor must complete the CCWD Training Request Form and obtain his/her supervisor's approval.

Optional Training (*Examples:* College, university, community, agency classes; non-required conferences; professional organization sponsored events):

- Training is considered *optional* when:
  - An employee wants to be better at his/her job;
  - An employee wants to advance in his/her career.
- Optional training is training that is agency-related but is not required.
- The key managers review and approve all optional training requests.
- Appeals can be made to the Labor/Management Committee.
- There is no travel reimbursement for optional training.
- Optional training has a dollar cap and a time cap.

For *optional training requests,* the employee must complete the CCWD Training Request Form and submit it to his/her supervisor.

Budget

CCWD will annually budget money for training. A potential of up to $1,000 per individual, per program year (PY) may be available for optional training, based on funding. Additional requests for training reimbursement above $1,000 may be submitted to supervisors. There shall be no carryover of unused funds.

Exceptions:

None

DAS "Maintaining a Professional Workplace" ***Following pages***

4. Maintaining A Professional Workplace Policy

DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

Statewide Policy

SUBJECT:	**Maintaining a Professional Workplace**	**NUMBER:**	**50.010.03**
DIVISION:	**Human Resource Services Division**	**EFFECTIVE DATE:**	**08/27/07**

APPROVED: Signature on file with the Human Resource Services Division

POLICY STATEMENT: It is the policy of the State of Oregon to create and maintain a work environment that is respectful, professional and free from inappropriate workplace behavior.

AUTHORITY: ORS 240.145 and ORS 240.250

APPLICABILITY: All employees, including state temporary employees

ATTACHMENTS: N/A

DEFINITIONS:

See also HRSD State Policy 10.000.01, Definitions; and OAR 105-010-0000

Agency: Refers to state agencies, boards and commissions

Professional Workplace Behavior: Supporting the values and mission of the State of Oregon and the agency, building positive relationships with others, communicating in a respectful manner, holding oneself accountable and pursuing change within the system.

Inappropriate Workplace Behavior: Unwelcome or unwanted conduct or behavior that causes a negative impact or disruption to the workplace or the business of the state, or results in the erosion of employee morale and is not associated with an employee's protected class status.

Examples of inappropriate workplace behavior include but are not limited to, comments or behaviors of an individual or group that disparage, demean or show disrespect for another employee, a manager, a subordinate, a customer, a contractor or a visitor in the workplace.

Inappropriate workplace behavior does not include actions of performance management such as supervisor instructions, expectations or feedback, administering of disciplinary actions, or investigatory meetings.

Inappropriate workplace behavior does not include assigned, requested or unsolicited constructive peer feedback on projects or work.

Protected Class Under Federal Law: Race; color; national origin; sex (includes pregnancy-related conditions); religion; age (40 and older); disability; a person who uses leave covered by the Federal Family and Medical Leave Act; a person who uses

Military Leave; a person who associates with a protected class; a person who opposes unlawful employment practices, files a complaint or testifies about violations or possible violations; and any other protected class as defined by federal law.

Protected Class Under Oregon State Law: All Federally protected classes, plus: age (18 and older); physical or mental disability; injured worker; a person who uses leave covered by the Oregon Family Leave Act; marital status; family relationship; sexual orientation; whistleblower; expunged juvenile record; and any other protected class as defined by state law.

POLICY

(1) It is the policy of the State of Oregon to create and maintain a work environment that is respectful, professional and free from inappropriate workplace behavior.

(a) Conduct Employees at every level of the agency should foster an environment that encourages professionalism and discourages disrespectful behavior. All employees are expected to behave respectfully and professionally and refrain from engaging in inappropriate workplace behavior.

(b) Addressing Inappropriate Workplace Behavior

(A) Supervisors must address inappropriate behavior that they observe or experience and should do so as close to the time of the occurrence as possible and appropriate.

(B) If an employee observes or experiences inappropriate workplace behavior and the employee feels comfortable in doing so, they should:

(i) redirect inappropriate conversations or behavior to workplace business; and/or

(ii) tell an offending employee his/her behavior is offensive and ask him/her to stop.

(c) Reporting Inappropriate Workplace Behavior

(A) An employee should report inappropriate workplace behavior he/she experiences or observes to his/her immediate supervisor as soon as practicable. If the employee's immediate supervisor is the one engaging in the inappropriate behavior, the employee should report the behavior to upper management, the agency head or Human Resource section, as soon as practicable. The report may be made orally or in writing.

(B) If past practice exists in the agency, an employee who is represented by a labor union may have a union representative present during regular work hours, when reporting inappropriate workplace behavior and through the process set forth in this policy. The union representative must not be a witness or party to the investigation.

(C) Reporting behavior or conduct directed toward an employee because of his/her protected class status is addressed in DAS Statewide Policy 50.010.01, Discrimination and Harassment Free Workplace.

(d) Responding to a Report of Inappropriate Workplace Behavior Inappropriate workplace behavior must be addressed and corrected before it becomes pervasive, causes further workplace disruption or lowers employee morale. Unless the agency decides otherwise, the supervisor of the employee allegedly engaging in the inappropriate workplace behavior must investigate the report as soon as possible.

(e) Consequences

(A) Any employee found to have engaged in inappropriate workplace behavior, will be counseled, or, depending on the severity of the behavior, may be subject to discipline, up to and including dismissal.

(B) A supervisor who fails to address inappropriate behavior, will be counseled, or, depending on the severity of the behavior, may be subject to disciplinary action, up to and including dismissal.

(f) Retaliation Retaliating against someone for reporting or addressing inappropriate workplace behavior is prohibited. The agency will investigate reports of retaliation. Any employee found to have engaged in retaliation may be subject to discipline, up to and including dismissal.

5. Veteran's Preference in Employment 105-040-0015

Applicability: Recruitment and selection processes for all State of Oregon positions in agencies subject to ORS 240, State Personnel Relations Law, including but not limited to promotional opportunities.

(1) Definitions: (See also HRSD Rule 105-010-0000 Definitions Applicable Generally to Personnel Rules and Policies.)

(a) Initial Application Screening: An agency's process of determining whether an applicant meets the minimum and special qualifications for a position. An Initial Application Screening may also include an evaluation of skills or grading of supplemental test questions if required on the recruiting announcement.

(b) Application Examination: The selection process utilized by an agency after Initial Application Screening. This selection process includes, but is not limited to, formal testing or other assessments resulting in a score as well as un-scored examinations such as interviews and reference checks.

(c) Veteran and Disabled Veteran: As defined by ORS 408.225 and 408.235.

(2) Application of preference points upon Initial Application Screening: Qualifying Veterans and Disabled Veterans receive preference points as follows;

(a) Five Veteran's Preference points are added upon Initial Application Screening when an applicant submits as verification of eligibility a copy of the Certificate of Release or Discharge from Active Duty (DD Form 214 or 215), or a letter from the US Department of Veteran's Affairs indicating the applicant receives a non-service connected pension with the State of Oregon Application; or

(b) Ten Disabled Veteran's points are added upon Initial Application Screening when an applicant submits as verification of eligibility a copy of the Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) with the State of Oregon Application. Disabled Veterans must also submit a copy of their Veteran's disability preference letter from the US Department of Veteran Affairs, unless the information is included in the DD Form 214 or 215.

(c) Veteran's and Disabled Veteran's preference points are not added when a Veteran or Disabled Veteran fails to meet the minimum or the special qualifications for a position.

(3) Following an Initial Application Screening the agency generates a list of qualified applicants to consider for Appointment. An Appointing Authority or designee may then:

(a) Determine whether or not to interview all applicants who meet the minimum and special qualifications of the position (including all Veterans and Disabled Veterans); or

(b) Select a group of Veteran and Disabled Veteran applicants who most closely match the agency's purposes in filling the position. This group of applicants may be considered along with non-veteran applicants who closely match the purposes of the agency in filling the position as determined by:

(A) Scored Application Examinations (including scored interviews): If an agency utilizes, after an Initial Application Screening, a scored Application Examination to determine whom to consider further for Appointment, the agency will add (based on a 100-point scale) five points to a Veteran's score or 10 points to a Disabled Veteran's score or;

(B) Un-scored Application Examinations: Un-scored Application Examinations done by sorting into levels (such as "unsatisfactory," "satisfactory," "excellent") based on desired attributes or other criteria for further consideration will be accomplished by:

(i) Advancing the application of a Veteran one level;

(ii) Advancing an application of a Disabled Veteran two levels.

(4) Preference in un-scored interviews: A Veteran or Disabled Veteran who, in the judgment of the Appointing Authority or designee, meets all or substantially all of the agency's purposes in filling the position will continue to be considered for Appointment.

(5) If a Veteran or Disabled Veteran has been determined to be equal to the top applicant or applicants for a position by the Appointing Authority or designee then the Veteran or Disabled Veteran is ranked more highly than non-veteran

applicants and, a Disabled Veteran is ranked more highly than non-veteran and Veteran applicants.

(6) Preference described in Sections 2 through 5 of this rule is not a requirement to appoint a Veteran or Disabled Veteran to a position. An agency may base a decision not to appoint the Veteran or Disabled Veteran solely on the Veteran's or Disabled Veteran's merits or qualifications.

(7) A Veteran or a Disabled Veteran applicant not appointed to a position may request an explanation from the agency. The request must be in writing and be sent within 30 calendar days of the date the Veteran or Disabled Veteran was notified that they were not selected. The agency will respond in writing with the reasons for not appointing the Veteran or Disabled Veteran.

[ED. NOTE: Forms referenced are available from the agency.]

Stat. Auth: ORS 240.145(3) & 240.250
Stats. Implemented: ORS 408.225, 408.230 & 408.235
Hist.: HRSD 3-2007(Temp), f. & cert ef. 9-5-07 thru 3-3-08; HRSD 1-2008, f. 2-27-08, cert. ef. 3-1-08; HRSD 3-2009, f. 12-30-09, cert. ef. 1-1-10

6. Affirmative Action Policy 586-025 (effective April 1, 2005):

The Oregon Department of Community Colleges and Workforce Development (CCWD) is committed to the Affirmative Action Commitments and Targets (AACT) plan to: (1) increase racial, ethnic, disabled and gender diversity of department staff; (2) increase awareness and competence of CCWD staff on issues of diversity; (3) develop and implement specific recruitment, selection and retention strategies designed to attract, hire and retain a diverse staff.

Purpose:

CCWD will actively proclaim its commitment to affirmative action by promoting and implementing the AACT plan. Efforts will include:

- Annual review, revision and adoption of the AACT plan by the Labor Management Committee and management team;
- Annual review of the plan at an all-staff meeting;
- Posting the AACT plan on the CCWD Web site;
- An annual presentation or review of the AACT plan by the State Board of Education.

Active Recruitment:

CCWD's personnel director will pursue overt and aggressive recruitment strategies to include:

- The development of a "diversity network" of contacts and relationships with individuals, organizations and commissions dedicated to the advancement of diverse and minority populations;
- Direct and regular interaction with individuals and groups in the "diversity network";
- Active creation of opportunities to engage diverse staff;
- Target diverse candidates for temporary and/or limited duration positions;
- Identify opportunities for internships and target diverse candidates at Oregon institutions of higher education, workforce agencies or area high schools;
- Pursue opportunities for CCWD management staff to mentor diverse students and adults;
- Create a recruitment planning template including an affirmative action checklist, for use by the supervisor and selection committee responsible for filling a position;
- Provide support for supervisors and selection committees through the recruitment and selection processes;
- Distribute announcements to the DAS Diversity Representative, college placement centers and One-Stop Workforce Career Centers;
- Advertise in newspapers statewide and targeted publications serving diverse populations.

Selection Process:

CCWD's personnel director will assure that supervisors and selection committees will:

- Receive affirmative action training (or materials) appropriate for preparing selection process materials, and interviewing applicants;
- Work to assure there is no unintended bias imbedded in required qualifications or in application or interview questions.

Retention Strategies:

CCWD's personnel director, in collaboration with the supervisor of the new employee, will:

- Assure employees receive and engage in a thorough orientation to CCWD and to state government;
- Assign a peer mentor;
- Check in regularly and provided needed coaching and/or staff development opportunities.

Applicability:

This policy applies to all recruitment activities of CCWD.

- CCWD's personnel director will report monthly to the CCWD management team to:
  - Identify specific actions to implement and utilize the AACT Plan;
  - Update the Management Team on status of affirmative action efforts and progress toward the achievement of the goal of a diverse staff.
- CCWD's personnel director will prepare, for the commissioner and EOC officer, a biennial affirmative action report including:
  - CCWD personnel diversity statistics;
  - Efforts to implement the elements of the AACT plan;
  - Suggested updates to the CCWD AACT plan for the upcoming biennium.
- The commissioner will include the biennial affirmative action report information to the Legislature as part of the regular Ways and Means presentation.

Exceptions:

- None.

Appendix B

A. Age Discrimination in Employment Act of 1967 (ADEA)
B. Disability Discrimination Title I of the Americans with Disability Act of 1990
C. Equal Pay and Compensation Discrimination Equal Pay Act of 1963, and Title VII of the Civil Rights Act of 1964
D. Genetic Information Discrimination
E. National Origin Discrimination Title VII of the Civil Rights Act of 1964
F. Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
G. Race/Color Discrimination Title VII of the Civil Rights Act of 1964
H. Religious Discrimination Title VII of the Civil Rights Act of 1964
I. Retaliation Title VII of the Civil Agency Affirmative Action Policy
J. Sex-Base Discrimination Title VII of the Civil Rights Act of 1964
K. Sexual Harassment Title VII of the Civil Rights Act of 1964