

II. AFFIRMATIVE ACTION PLAN

A. DHS affirmative action policy statement



Oregon


Thendore R. Kulongoski, Governor

Department of Human Services

Office of the Director
500 Summer Street NE, E-15
Salem, OR 97301-1097
Voice (503) 947-5110
FAX (503) 378-2897
<http://www.oregon.gov/DHS/>

INTEROFFICE MEMORANDUM

To: All DHS Employees

From: Bruce Goldberg, M.D. 
Director

Date: October 8, 2008

Subject: Equal Employment Opportunity / Affirmative Action Plan

It is the policy of the Oregon Department of Human Services (DHS) to provide equal opportunity in employment and advancement regardless of race, religion, color, national origin, marital status, sex, sexual orientation, age, veteran's status, or mental or physical disability. Further, reasonable accommodation will be made for employees requiring such, upon request.

The department maintains a copy of the DHS Affirmative Action Plan on the DHS Web site, and will make it available for managers and employees to review, upon request to the DHS Affirmative Action Officer. Managers are expected to participate and encourage others to participate in the agency's activities designed to promote affirmative action.

All management staff are expected to actively support recruitment and career development programs to ensure equitable representation of minorities, women and people with disabilities in all job classifications. It also is the responsibility of management staff to ensure the work environment is free from any form of discriminatory harassment and retaliation for filing a complaint related to workplace concerns. Each manager's annual performance appraisal will include an evaluation of their effectiveness in achieving affirmative action goals and objectives.

All DHS Employees
October 8, 2008
Page Two

All employees have a responsibility to implement and adhere to the affirmative action plan. All managers have a responsibility to manage their respective programs, functions and work force in accordance with the principles, policies and procedures of this plan and will be held accountable for their performance. To help ensure organizational success, the DHS Director and Cabinet will make necessary decisions and monitor the accomplishment of this plan on an ongoing basis, and make plan adjustments as necessary.

Any individual who believes he or she has been discriminated against on the basis of a protected class status may file a complaint in accordance with the Oregon Department of Administrative Services (DAS) statewide Discrimination and Harassment Free Workplace Policy 50.010.01.

DHS will note on appropriate public notices that complaints pertaining to the Equal Employment Opportunity statutes are to be forwarded to:

Joseph Hesting
DHS Affirmative Action/Equal Employment Opportunity Officer
500 Summer St. NE
Salem, OR 97301
503-945-6610

or to:

Oregon Bureau of Labor and Industries
800 Oregon St. Suite 1045
Portland, OR 97232
971-673-0761

For more information about the DHS Employment Opportunity/ Affirmative Action Plan please contact Joseph Hesting at the above-noted address and telephone number.

B. Status of contracts to minority businesses (ORS 659A.015)

DHS Office of Contracts and Procurement produces quarterly reports for the Governor's Advocate for Minority, Women, and Emerging Small Business in accordance with state policy. These reports support the required format and include data elements requested by the Advocate's Office. This information is available upon request to the Advocate's Office. The total number of DHS contracts for July 1, 2005, to June 30, 2007, was approximately 7,560 and from July 1, 2007 to June 30, 2008, approximately 4,200. The number of certified firms that DHS contracted was four. We surmise that many of the firms we contract with could be certified through the Department of Consumer and Business Services application process if they chose to apply. DHS does provide its contractors and vendors with information on how to become registered.

DHS provides notice to certified firms for all competitive solicitations through the Oregon Procurement Information Network (ORPIN).

C. Training, education and development plan and schedule

1. Staff

A longtime DHS goal has been to include cultural competency and diversity considerations into our program training.

The following is a list of diversity-related training opportunities that DHS staff have participated in since July 1, 2007:

- a. Cultivating a Diverse Workforce – This is a mandatory management training offered 27 times during the 07-09 biennium. More than 105 managers attended during the biennium.. This will be an ongoing mandatory training during 09-11.
- b. Diversity: Disability Culture and Awareness – 86 staff attended. This will be an ongoing training in 09-11.
- c. Creating a Legal Work Environment – mandatory for all managers. This ongoing department training is delivered by BOLI trainers and

- has been provided for 60 managers. The training is scheduled every other month for groups of 25 or more managers per session.
- d. Cultural Competency all DHS staff. We initiated this mandatory all staff training in early 2007. To date we have trained over 7,000 current staff and expect to train an additional 2,500 by the end of 2009. This will be a mandatory ongoing training for all new staff.
 - e. MEPA/IEPA (CW) – Multi Ethnic Placement Act covers the federal mandate of not delaying placement for children because of race, ethnicity, religion, etc. There were 16 sessions with approximately 560 staff; 12 sessions planned for 07-09.
 - f. ICWA training – Annual Indian Child Welfare Act conference every year, including 2007 and 2008, includes several topics and trainings regarding cultural awareness as it relates to the tribes. Over 150 staff attended the September 2007 conference.
 - g. Cultural Considerations in Making Child Welfare (CW) Placements – This is a mandatory four-hour module included in CW core class for all new hired casework staff; 228 staff attended this biennium.
 - h. Americans with Disabilities Act (ADA) – Section 504 training – Self-Sufficiency, (SS). Four sessions, 27 staff attended in 2007 and 454 in 2008. Recognizing and Accommodating Learning Disabilities training for Self Sufficiency staff, 74 staff attended.
 - i. Disability Culture and Awareness – Available to all staff. Department-wide, 86 staff attended. Ongoing through 09-11.
 - j. New Employee Orientation (NEO); 280 staff attended.
 - k. Domestic Violence 101; 207 staff attended.
 - l. Civil Rights (SS) computer based training (CBT) covers topics on diversity, ADA requirements, etc. Over 1,050 staff have attended CBT.
 - m. CW Case Management Curriculum has components of diversity in a strength-based approach;

- n. Home Visit Training for SS staff – teaches about diversity and cultural sensitivity regarding visits to individual homes, etc;
- o. SSRA – Self-Sufficiency Risk Assessment training for SS and CW staff regarding child safety. It includes cultural sensitivity and diversity components; 150 staff attended to date.
- p. Freeing and Placing – Foundational class to prepare CW caseworkers for permanency and adoption work has several modules regarding diversity, cultural sensitivity; 48 staff attended.
- q. DHS Core Values Training: Diversity is addressed specifically in the training on the core value of respect. Approximately 5,000 staff attended the regularly scheduled training in the current biennium. This training will be offered during 2009-2011.
- r. The annual DHS Diversity Conference is all about Diversity and Cultural Competency (CC) – each of the approximately 24 workshops covers a different element of CC. In 2007 more than 750 DHS staff attended, the majority experiencing their first conference. Planners work with management to assure as many employees as possible may attend the conference. DHS is planning a 2008 conference in September for approximately 1,300 staff.
- s. Child Welfare “Shoulder to Shoulder” offers an assortment of Cultural Competency workshops including gender-specific services; 799 staff attended.
- t. Blue Mountain Recovery Center and Eastern Oregon Training Center have provided diversity training to over 500 staff and community partners in 2007-2009.
- u. Women, Infants and Children Nutrition Program (WIC) Civil Rights training – every WIC staff person receives annual training. Offered at statewide meeting held every 18 months on the off year, provided at individual agencies. Forty state staff and 320 local agency staff attended. Sessions at the statewide meeting held May 5-6, 2008,

Connecting with Clients in a Multi-cultural world – two sessions; 40 local and state staff in each session. The Spirit of Participant Centered Service – three sessions; 75 local and state staff in each session.

- v. The Office of Public Health offers diversity training on a variety of topics to administrators, managers, direct line staff, community advocates, consumers, students and faculty. The complete list of trainings sessions and attendees is in Appendix D.

Divisions plan to continue staff training delivery in 09-11. The training plan for 09-11 is not yet fully developed. It will be made available upon request as established and approved. Currently, the size of the department does not allow for all-staff meetings. Divisions, sections and units do meet on a regular basis. The DHS Director communicates by email to all staff via the "Director's Weekly Message".

2. Volunteers

The DHS Volunteer program coordinated approximately 2,300 volunteers and unpaid student interns throughout the 2007-2009 biennium. Volunteers and student interns are invited to participate in various DHS staff development training opportunities, including all trainings on cultural competency and diversity as appropriate to their assignment. Currently, training participation in existing cultural competency and diversity training is optional and volunteers choose the training necessary for their assignment. During 2007-2009 the department initiated cultural competency training for all staff and the volunteer program plans to make the training available to volunteers and student interns. Training also is available for volunteers using video conferencing technology. The volunteer program plans to increase the use of videoconferencing as a means of assuring volunteers have increased access to cultural competency information. There are no meetings to discuss affirmative action for volunteers.

3. Providers and Vendors

CAF, SPD, and Public Health divisions offer provider training to educate providers. Training includes policy and procedures, service delivery,

confidentiality, working with DHS, best practices, legal issues, direct care practices and other topics.

Providers include county public health, mental health, developmental disabilities (DD) services; alcohol and drug abuse providers; medical providers; foster parents in child welfare; foster care for seniors and people with disabilities; home health providers; child care providers; job services providers; and others.

DHS has on average approximately 7,500 contracts with vendors or providers during a biennium. Current practice is to require each contract to include provisions related to compliance with civil rights laws. There are no meetings to discuss affirmative action for providers or vendors, (see contract language listed below).

DHS contracts contain the following requirements:

In compliance with the Americans with Disabilities Act, any written material that is generated and provided by Contractor under this Contract to DHS clients, including Medicaid-Eligible Individuals, shall, at the request of such DHS clients, be reproduced in alternate formats of communication, to include Braille, large print, audiotape, oral presentation, and electronic format. DHS shall not reimburse Contractor for costs incurred in complying with this provision. Contractor shall cause all subcontractors under this Contract to comply with the requirements of this provision.

Contractor shall comply and cause all subcontractors to comply with all federal laws, regulations, and executive orders applicable to the Contract or to the delivery of Work. Without limiting the generality of the foregoing, Contractor expressly agrees to comply and cause all subcontractors to comply with the following laws, regulations and executive orders to the extent they are applicable to the Contract: (a) Title VI and VII of the Civil Rights Act of 1964, (b) Sections 503 and 504 of the Rehabilitation Act of 1973, (c) the Americans with Disabilities Act of 1990, (d) Executive Order 11246, (e) the Health Insurance Portability and Accountability Act of 1996, (f) the Age Discrimination in Employment Act of 1967, as amended, and the Age Discrimination Act of 1975, (g) the Vietnam Era Veterans' Readjustment Assistance Act of 1974, (h) all regulations and administrative rules established pursuant to the foregoing laws, (i) all other applicable requirements of federal civil rights and rehabilitation statutes, rules and regulations, (j) all federal law governing operation of Community Mental

Health Programs, including without limitation, all federal laws requiring reporting of Client abuse. These laws, regulations and executive orders are incorporated by reference herein to the extent that they are applicable to the Contract and required by law to be so incorporated. No federal funds may be used to provide Work in violation of 42 USC 14402.

D. Status of Cultural Competency Assessment and Implementation

The department has conducted formal and informal assessments to determine the level of cultural competency and diversity awareness in the workforce and in client service delivery.

These assessments have been ongoing for a number of years and have taken the form of questionnaires, interviews, focus groups and managerial analysis of practices and policies. In addition, the department has analyzed EEO/affirmative action information, training records for all staff, external diversity activities, and community input.

Our findings pointed to a need to have mandatory training for management staff. It would cover promoting culturally competent practices in the workplace, including hiring, training, promotion, retention, and creating/sustaining welcoming environments. It also would cover the need to provide culturally competent services to our clients and customers. This training has been implemented since 2005 and is now part of the required training curriculum for managers.

The findings also showed a need for the department to have mandatory training for all staff on the foundations of cultural competency. DHS assigned a district-level manager to coordinate this major training project. This training currently is being implemented with plans to train all members of the department until completed in 2009. Upon completion, this training is will be a mandatory for new employees. Each training is introduced by a taped message from the DHS director to emphasize the importance of cultural competency to the department's mission. A team of internal experts designed the training after extensive discussions and feedback from key department stakeholders. An outside consultant was retained to refine the curriculum. The DHS diversity coordinator, with input from across the department developed a management tool kit to use with staff to supplement

the department training. See Appendix: C7 – Tool Kit for Managers Table of Contents.

The third and final piece of the assessment and training plan includes program-specific training to promote culturally and linguistically competent and diverse services. All divisions of the department have conducted program-specific training for staff, partners and contracted service providers in the past two years. The trainings are designed to attain a higher level of cultural competency resulting in: 1) working more effectively with each other to improve customer service, and 2) providing, in a cultural competent and respectful manner, services that are fully accessible to all clients, customers, and the communities we serve. (See Training, Education and Development Plan and Schedule).

In addition to the efforts listed in this plan, during the 07-09 biennium DHS plans to conduct a targeted assessment of specific areas Affirmative Action problem areas where we seek improvement. This assessment will use the services from the state Cultural Competency Assessment and Implementation Services Agreement coordinated through the Governor's Affirmative Action Office. We expect the results of this assessment to help the department identify specific initiatives that will allow the department to take more effective affirmative action in the employment outcomes for people of color at salary range +24 and for people with disabilities in all salary ranges.

DHS will assess:

- 1) Affirmative Action Hiring Practices for employees at SR24+ for employees and applicants who are people of color.
- 2) Affirmative Action Hiring Practices for employees at all salary levels for people with disabilities.

E. Programs:

1. **Internship Program** - DHS does not presently have an internship program, we use the DAS InternOregon program to assist us with efforts focused on reaching populations of people currently underrepresented in state employment. As stated in our goals, we aim to increase our use of the program during the 09-11 biennium.

2. **Community Outreach** - The department has created partnerships with organizations throughout the state, such as Portland State University, People with Disabilities Advisory Committee, Hispanic Network, and the Black Networking Association that can serve to increase our access to "protected-class" populations: women, people of color, and people with disabilities. The department has expanded our outreach by adding a recruitment specialist in the Portland area and in Salem. Individual managers also develop liaisons with local, community-based organizations to assist in this area. District community resource coordinators assist the Office of Human Resources Recruitment unit in meeting with local community groups to enhance our recruitment outreach.

3. **Diversity Initiatives Program** - By placing a major emphasis on diversity development, DHS has become a leader in state government by creating a strategic plan with measurable outcomes (see Appendix C1). The department supports a diversity coordinator who enhances our affirmative action program by overseeing strategic initiatives that lay the groundwork for a vibrant and increasingly diverse, cultural and linguistically competent workforce capable of meeting the needs of Oregon's multi-cultural population. It is important to create and maintain welcoming environments to foster the success of our employees and clients. DHS maintains a website dedicated to diversity at: <http://www.oregon.gov/DHS/aboutdhs/diversity/> . Highlights of our program include:
 - Diversity Strategic Plan is updated annually, current plan is included in this Plan as Appendix C1.
 - Self-Evaluation tools are provided to managers as part of their mandatory cultural competency training.
 - DHS co-sponsors the annual Diversity Conference and several cultural events throughout the year.
 - DHS is in the final stages of providing cultural competency training to all staff.
 - The DHS Diversity Council advises the department on issues of cultural competency and our recruitment and retention practices.
 - DHS has initiated an annual award process for leadership in diversity and cultural competency.
 - The department is employing an outside assessment team to review our hiring policies and practices with a focus on areas of the

department where we are underrepresented by people of color and people with disabilities.

- The DHS Diversity Council has developed a welcoming environment checklist and it is published on our website.

There is more information about our programs in the Accomplishments, Goals and Strategies sections of this Plan