



Oregon Medical Board

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Affirmative Action Plan
2011 – 2013 Biennium

OREGON MEDICAL BOARD

**AFFIRMATIVE ACTION PLAN
2011-2013 BIENNIUM**

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I. DESCRIPTION OF AGENCY

The mission: of the Oregon Medical Board is to protect the health, safety, and well being of Oregon citizens by regulating the practice of medicine in a manner that promotes quality care.

The Oregon Medical Board administers ORS Chapter 677 and OAR Chapter 847 to license, to investigate charges against, and to discipline, medical and osteopathic physicians (MDs and DOs), doctors of podiatry (DPMs), acupuncturists, and physician assistants (PAs).

The Board is a regulatory agency created to protect the health, safety, and welfare of the people of Oregon from the practice of medicine by unauthorized or unqualified persons and from unprofessional conduct by persons licensed to practice medicine, and to promote medical excellence in Oregon. As the agency regulating medical practice statewide, the Board also develops and enforces most of the state laws, rules, and policies under which its licensees practice. There are approximately 17,000 licensees under the jurisdiction of the Board.

The current Executive Director of the Oregon Medical Board is:

Ms. Kathleen Haley
1500 SW 1st Ave Suite 620
Portland OR 97201-5847
Phone number 971-673-2681

The Governor's Policy Advisor for the Oregon Medical Board is:

Ms. Claudia Black
Phone number 503-378-6549

The Affirmative Action Representative for the Oregon Medical Board is:

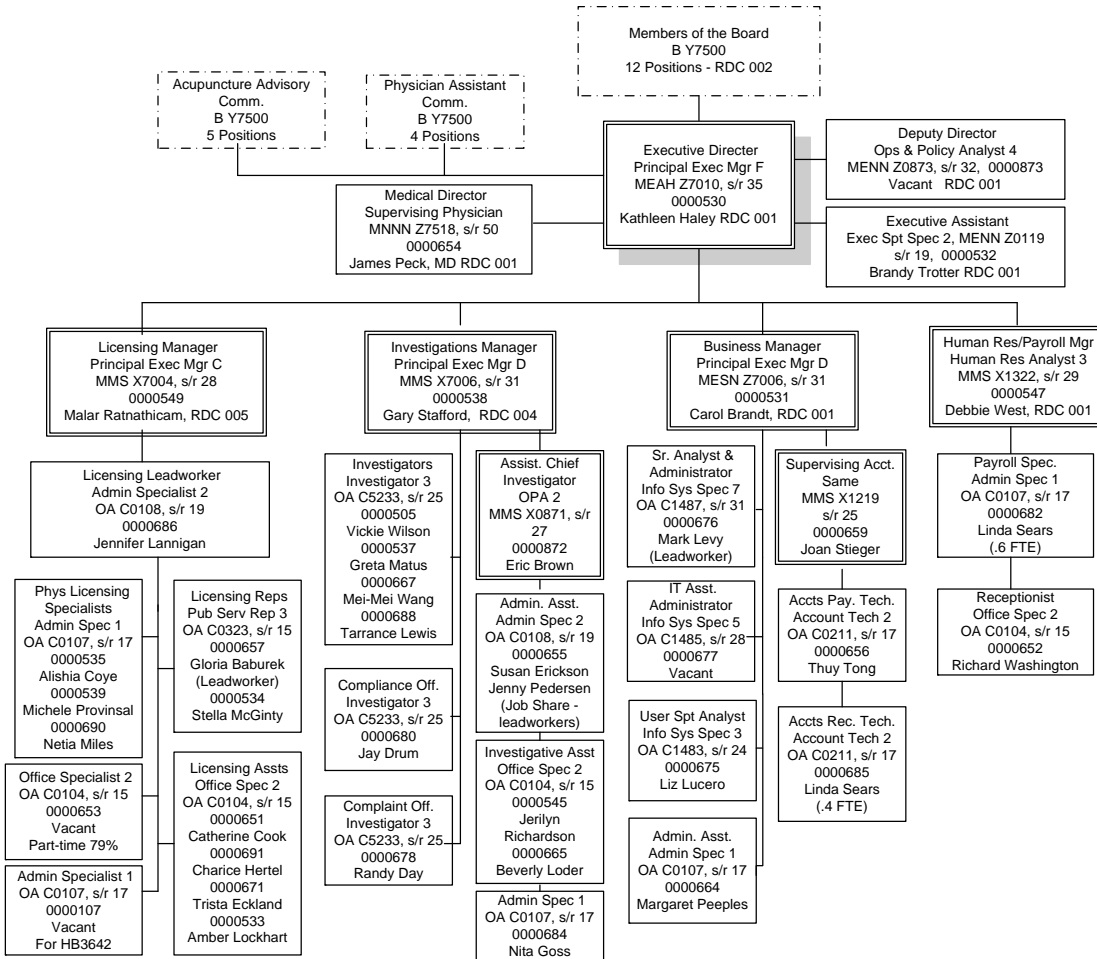
Ms. Debbie West
Phone number 971-673-2697.

A current organizational chart for the Oregon Medical Board follows this page.

Organizational Chart

Oregon Medical Board

July 1, 2010



II. AFFIRMATIVE ACTION PLAN

A. *Agency Affirmative Action Policy*

Introduction

The purpose of this plan is to update and maintain the previously initiated affirmative action program for the Oregon Medical Board, in keeping with the directive of the Governor, state and federal laws and regulations, executive orders of the President of the United States of America concerning affirmative action, discrimination/non-discrimination guidelines appropriate under the Civil Rights Acts, equal employment opportunity (EEO) policies, and the Americans with Disabilities Act by which our good faith efforts must be directed.

Policy Statement

The Oregon Medical Board will not tolerate discrimination or harassment on the basis of age, color, marital status, mental or physical disability, national origin, race, religion, sex, sexual orientation, or any reason prohibited by state or federal statute. Nor shall the Board do business with any vendor/provider for the state of Oregon who discriminates or harasses in the above-described manner. All personnel actions of the Oregon Medical Board, and all licensing actions and disciplinary actions concerning licensees, shall be administered according to this policy.

All staff of the Oregon Medical Board shall adhere to the Affirmative Action Policy and Plan. Supervisory and management staff, in particular, shall assure that the intent as well as the stated requirements are implemented in all employee relationships and personnel practices. In addition, it is the duty of every employee of the Oregon Medical Board to create a job environment atmosphere which is conducive to non-discrimination policies and free of any form of discrimination or harassment. The application of this policy is the individual responsibility of all administrative and supervisory staff, and each shall be evaluated on his/her performance in achieving this affirmative action policy as well as in other job performance criteria. Failure to meet our affirmative action standards will be subject to disciplinary actions. The Affirmative Action Plan will be posted on the Board's website and a hard copy will be placed in the reception area, and in the Executive Director's and HR Manager's offices. The Affirmative Action Policy Statement is posted on the bulletin board where all other required posters are located.

All employees shall be advised of the procedure for lodging a discrimination/ harassment complaint, and all employees with concerns of any kind related to affirmative action shall be encouraged to bring them to the attention of the Executive Director or the Human Resources Manager. Our internal procedure that supports statewide policy is located on page 25 of this Affirmative Action Plan.

It is further the policy of the Oregon Medical Board to establish and maintain this program of affirmative action to provide for a method of eliminating any effects of past or present discrimination, intended or unintended, which may be indicated by analysis of present employment patterns, practices, or policies.

Duration of Plan

This revision of the Board's Affirmative Action Plan is effective July 1, 2010 and shall be evaluated annually or as needed when statewide changes occur. The Board's Affirmative Action Representative is Debbie West, 971-673-2697.

Kathleen Haley, Executive Director of the OMB

B. Training, Education and Development Plan:

1. Employees

- a. Train and inform managers, supervisors, and employees at New Employee Orientation as to their rights and responsibilities under the Board's affirmative action plan and other Board policies to eliminate discrimination or harassment on the basis of age, color, marital status, mental or physical disability, national origin, race, religion, sex, sexual orientation, or any reason prohibited by state or federal statute.
- b. Managers and employees will attend annual training in the areas of AA/EEO, Valuing Diversity and Harassment. Training may be in the form of guest speakers during monthly all-staff meetings, formal classes, sharing of information from the Governor's Affirmative Action Office, and/or one-on-one discussions. Managers will be evaluated annually for their adherence to this Affirmative Action Plan.
- c. 32% of the Oregon Medical Board's workforce is eligible to retire within the next five years. Succession planning is critical for the seamless transition of employees in key positions. Our upper level managers have identified people that could move into these key roles within twelve months. To develop all our employees skills and give them opportunities to grow within the organization, the Oregon Medical Board will:
 - Provide assistance in identifying career paths;
 - Encourage employees to seek career development and job rotation opportunities;
 - Identify mentors and coaches and promote their use;
 - Link capable employees up with staff members who may be considering retirement; and
 - Groom top performers for advanced levels of leadership within the organization by giving them exposure to political processes, providing management-level training, and encouraging job shadow activities.
- d. Provide new Board Members with a copy of the Affirmative Action Plan or direct them to the Board's website where the Plan is available for public viewing. Invite them to participate in the Board's cultural diversity training sessions.

2. Volunteers

The Oregon Medical Board does not have any Volunteers.

3. Contractors/Vendors

When contracts are established or renewed, the Oregon Medical Board provides vendors with a copy of the Affirmative Action Plan or directs them to the Board's website where the Plan is available for public viewing.

C. Programs

The Oregon Medical Board uses a number of approaches in executing a diversity program and bringing new people into the work force, creating opportunities for existing employees, and promoting an environment that is welcoming, tolerant and supportive. Some of the initiatives and activities include:

1. Internship Program

- Identifying tasks well suited for interns and that are related to their career goals;
- Recruiting for interns at our local higher educational facilities;
- Depending on budget restraints, hiring at least one intern a year; and
- Using interns to teach young people about the mission of the Oregon Medical Board and show them possible employment opportunities.

2. Community Outreach Programs

- Posting notices and forwarding e-mails that talk about cultural activities and other information that supports diversity and tolerance;
- Displaying the agency's commitment to our Affirmative Action Plan by publicizing it on our website and having hard copies available in strategic locations for everyone to read;
- Making presentations to community organizations such as health care groups and higher educational facilities about the work of the OMB which in turn creates interest in our jobs; and
- Supporting our Affirmative Action Representative in joining local organizations that align themselves with our AA goals.

3. Diversity Initiative Programs

- Communicating to all staff in a variety of mediums the importance of diversity and how it impacts the Board's success rate;
- Asking staff to focus on the organization and provide suggestions on ways to improve our diversity performance. Aggressively converting that input into action, provide training, and continually evaluating our diversity program;
- Encouraging existing employees to learn new skills and apply them for career advancement opportunities both within the OMB and the State;
- Drawing upon different sources to advertise our recruitments such as the new state recruiting system E-Recruit, and increase awareness of our openings by contacting minority and community organizations.
- Promoting a respectful workplace by offering training on diversity awareness, improving communications, conflict management, and an open atmosphere to talk about problems and ideas; and
- Creating a welcoming environment by fostering an acceptance of people's differences and treating everyone with respect and professionalism whether they are staff or customer.

D. Update: Executive Order 08-18

1. Cultural Competency Assessment and Implementation Services

The Oregon Medical Board is implementing activities to increase the cultural awareness and competency of our employees. Because of budget constraints, we will postpone a formal Cultural Competency Assessment until economic conditions improve. Hopefully that will be in the 2013-2015 biennium. Until then, our organization will use the policies, people and resources it has to systematically anticipate, recognize and respond to varying expectations of customers and employees. A culturally competent organization values individuals for their differences instead of expecting individuals to adapt to the organizations culture. The OMB, its employees and customers will immediately benefit from our movement along the spectrum towards cultural competence. It is this journey that will make our organization successful.

The Oregon Medical Board's plan to enhance its cultural competence over the 2011-2013 Biennium will result in:

- People of diverse backgrounds and experience effectively working together;
- People understanding and appreciating one another's differences; and
- People effectively communicating with and being respectful of those differences.

The plan will focus on:

- Greater awareness among the members of OMB's workforce;
- Changes to policies and procedures that will enhance effective communication and utilize differing strengths;
- Identifying training events that all employees will enjoy and participate in;
- The design and implementation of more effective interventions within a diverse or specific cultural community; and
- An increased respect for and understanding of diverse cultures within the workforce and a decrease in intolerant practices by staff members.

The Oregon Medical Board will benefit from this plan by:

- Utilizing unique strengths and perspectives to solve problems and enrich the work environment;
- Creating a climate of cultural awareness and a welcoming environment that honors diversity;
- Making a stronger and more cohesive workforce rallied together by a common goal of success;
- Increasing ownership of decisions when they are made by a process supported by a diverse workforce;
- Having a greater understanding of the world in which we work and the customers we serve; and
- Preventing and overcoming misunderstandings, lost opportunities and conflict.

2. Statewide Exit Interview Survey

- Asking all employees leaving the Oregon Medical Board to respond to the statewide Exit Interview Survey.
- Review the results of those surveys at least quarterly, share both positive and negative remarks with the Executive Direction, and take appropriate action.

3. Performance Evaluations of all Management Personnel

- Holding employees, especially management, accountable for meeting our affirmative action standards by evaluating them at least annually and if needed, using the disciplinary process to make corrections.

E. Status of contracts to Minority Businesses (ORS 659A.015)

The Oregon Medical Board does not have any contracts that exceed \$5,000 with minority businesses. The majority of our contracts are with subject matter experts that are called upon for single-need issues.

III. Roles for Implementation of Affirmative Action Plan

A. Responsibilities and Accountabilities

1. Director/Administrator

- a. Foster and promote to employees the importance of a diverse and discrimination and harassment free workplace. Participate in cultural diversity trainings, orientations, and be a living example of cultural sensitivity. Held accountable through annual performance evaluations.
- b. Meet annually, or more often as needed, with the Board's Human Resource Manager to review equal employment opportunities, evaluate affirmative action and diverse work environment progress, and identify problems. Approve strategies and timetables for meeting goals.
- c. Annual performance reviews will include ratings on the Director's support and effectiveness of the agency's Affirmative Action Plan.
- d. Hold managers accountable for participating in and promoting affirmative action activities and for communicating this same responsibility to their subordinate supervisors and employees. The effectiveness of managers and supervisors in promoting the affirmative action activities, goals and objectives for OMB will be included in their annual performance appraisals. ORS 659.025(1) states:

"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, handicap 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 objectives as a key consideration of the manager's or supervisor's performance.

Executive Assistant to Director

Include articles in the OMB newsletter that express the Director's commitment to promoting a diverse workforce and environment. Articles relating to equal employment opportunity, affirmative action, the ongoing development of a diverse workforce, and the efforts and progress made toward meeting the Board's goals in these areas are some examples. Make certain articles about employees and clients are non-discriminatory in their portrayal of employees' gender, ethnic heritage, disability, or other non job-related characteristics.

2. Managers and Supervisors

- a. Foster and promote to employees the importance of a diverse and discrimination and harassment free workplace. Look for ways to increase the skills of current employees using mentoring, job rotations and formal training to prepare them for higher level positions within the organization.

- b. Managers and supervisors will receive an orientation on the Board's affirmative action goals, understand their own responsibilities, and evaluate how well they are achieving the Board's affirmative action goals and objectives. They will attend cultural competency training, attend orientations, and promote cultural awareness.
- c. Subordinate supervisors will be evaluated on their effectiveness in carrying out the responsibilities they have for participating in and promoting affirmative action activities.
- d. In undertaking these evaluations, managers will consider how well the supervisor fosters and promotes a diverse workforce, how well s/he promotes the affirmative action goals and objectives, and that his/her staff are knowledgeable about OMB policies and procedures that encourage a welcoming environment.
- e. Inform applicants for vacant positions that the Board is an equal employment employer committed to workforce diversity. Have a copy of the Board's Affirmative Action Plan available for applicants to review on request.
- f. Work with the Human Resources Section to utilize State of Oregon procedures and rules in filling vacancies. Attend equal opportunity, affirmative action and other diversity-related training in order to be informed of current issues.
- g. Display the Board's Affirmative Action Policy Statement and have available a hard copy of the Affirmative Action Plan at each office location. An electronic copy of the Board's Affirmative Action Policy Statement will also be maintained on the OMB website.
- h. Act in a timely manner if they become aware of any Board employee engaging in any type of harassment.
- i. Periodically report to employees on the Board's progress in attaining its' affirmative action goals and on other affirmative action matters.
- j. Be held accountable for promoting affirmative action on their annual performance evaluations.

3. Affirmative Action Representative

- a. Work with the Executive Director, managers and supervisors to promote a diverse workforce environment and help attain the AA goals of the Board. Encourage the retention of existing employees and create new learning opportunities for them.
- b. Report AA activities to the Executive Director in one-on-one meetings as well as staff meetings. Obtain support for proposed changes to the AA Plan to reach goals and objectives. Respond to AA issues and attend AA meetings on behalf of the Director.
- c. Use a variety of recruiting sources such as minority and women-specific web sites,

community agencies and schools. Emphasize the Board's support of equal employment opportunity, affirmative action and the benefits of a diverse workforce.

- d. Place the “An Equal Opportunity/Affirmative Action Employer” statement on every announcement and in every advertisement.
- e. Provide upward mobility opportunities through cross-training, job rotations and job shadowing. Inform all employees of career development opportunities and explain any options employees may have for meeting the minimum requirements for promotional job classifications through education and/or experience. Assist employees in the application process for state jobs and how interview skills can be improved.
- f. Train managers to have diverse interview panels including, when possible, one member who works outside the hiring section/division and one member from a protected class.
- g. Research training opportunities and topics for presentation to all staff. Actively participate in those trainings.
- h. Have hard copies and/or electronic copies of the Board's Affirmative Action Policy Statement and Plan available for review by all managers, supervisors and employees. Make hard or electronic copies available to applicants for employment on request. Recommend changes to the Plan and update it as required. Compile statistics and keep management informed of the Board’s AA status during management meetings.
- i. Solicit comments from managers requesting how Human Resources can assist them in promoting affirmative action activities and how best to create a more diverse workforce.
- j. Discuss the State of Oregon/Board Affirmative Action Plan and Policy in New Employee Orientation. Make the orientation as welcoming as possible. Include in the discussion:
 - Our expectations surrounding a respectful workplace and talk about what that means to the agency as well as the employee.
 - Our commitment to supporting the personal and professional growth of our employees.
 - Our encouragement to contribute and participate in agency activities that will assist the agency in meeting its objectives.
 - And our doors are always open for questions and concerns.
- k. Train and inform managers, supervisors and employees at New Employee Orientation as to their rights and responsibilities under the Board's affirmative action policy and other Board policies to eliminate any harassment based on race, sex, age, religion, sexual orientation, or disability.
- l. Respond to and investigate complaints. Enforce policies and procedures.
- m. Offer and review the Statewide Exit Interview Survey to all terminated employees. Analyze for trends. If it appears that discrimination or harassment was a factor in

employee separation, conduct an investigation and take appropriate action. Inform the Executive Director of the results.

- n. Evaluate revised and new policies for possible adverse impact on the Board's commitment to affirmative action and equal employment opportunities.
- o. Serve as a liaison between the Board, the state and federal agencies that protect civil rights.
- p. Performance accountability in the areas of Affirmation Action and Diversity will be reviewed on annual evaluations.

IV. JULY 1, 2008 – JUNE 30, 2011

A. *Accomplishments*

1. Five recruitments have been performed since July 2009. Each one was conducted in a way that would provide the most diverse candidate pool possible. Every candidate that met the qualifications and rated highest on the scoring criteria was offered an interview. Interviews were conducted by panels that consisted of men, women, people of color, co-workers and customers. The five employees that were hired consisted of four women (one of whom is disabled and one a person of color) and one man.
2. Due to the current economic conditions and the State's high unemployment rate, the candidate pools for our vacant positions were extremely large. We managed to reach a very diverse audience without spending anything on advertising. Announcements were placed on the state's job page, at higher education facilities, with the Veterans Administration Office, on OMB's website and with special interest organizations. We did not have any announcements that were at a high enough level to send to the Governor's Affirmative Action Office.
3. To make prospective employees feel welcome at the Oregon Medical Board, emphasis was placed on creating a comfortable interview atmosphere. Name plates were placed in front of the interview team, water, paper and pencils were available, plenty of time was given to the candidate for organizing their thoughts, etc. Existing employees were given respectful workplace training and support for this type of environment is exemplified by the management team.
4. Cross-training and career developmental opportunities are encouraged. Our goal is to retain our employees by keeping them challenged and giving them room for growth. The small size of our agency requires that more than one person knows a job, so it is fairly easy to promote these opportunities. They are offered to all employees equally. One employee, a young female person of color, did so well on her developmental she was reclassified upward based on her new skills and responsibilities. Another employee was promoted to a management-level position because of the knowledge he gained while cross-training.
5. The OMB hired a temporary intern from a higher-education facility in late 2009 to assist the Health Professional's Program in their transition to the Department of Human Resources. This transition and temporary assignment ended July 2010.
6. Extensive cultural and communication training was provided to our managers and employees. The classes were:
 - Coping in Changing Times provided by the Employee Assistance Program;
 - Effective Communications followed by one-on-one sessions with a private vendor; and
 - Generational Differences with a private vendor. Our workforce spans many generations – from 1930 to 1980. The Generational Differences training provided great insight and communication tips that increased our awareness of how different people can work toward common goals.

7. The OMB has almost met our goals for increasing and retaining our protected class employees. Using the EEOC statistics from the quarter ending June 2010 (which shows shortcomings in less than one whole person increments in People of Color and People with Disabilities), we are short one woman in the Professional category. This is due to the loss of our Psychiatric Social Worker upon the closure of our Health Professional's Program June 30, 2010.

B. Progress made or lost since previous biennium

The Oregon Medical Board has 71 positions - 42 regular and 29 Board Members. Two new positions were added during the last budget cycle. Since July 1, 2009 the OMB lost three employees due to separation and filled the two new positions – a total of five hires. The turnover and its' effect on protected classes can be summarized as follows:

Category	2007-2009	2009-current	Explanation
People of Color	1 lost 2 gained	0 lost 1 gained	Active support for keeping our diverse workforce intact.
Women	7 lost 9 gained	3 lost 3 gained	Lost one when the HPP program sunset on 6/30/10. Otherwise, economic conditions supported a low turnover rate and exceptionally diverse applicant pools.
Disabled	0 lost 0 gained	1 lost 1 gained	Active support for increasing our disabled representation.

The Oregon Medical Board's strategy for retaining our employees is simple:

- Value our employees and urge them to participate in decisions that effect their work;
- Treat our employees with respect and dignity;
- Show our employees the benefits of working for the State of Oregon from pay to health insurance to location;
- Support our employees in their learning and personal development plans;
- Carefully maintain the Board's reputation for professionalism by making it a business people are proud to work for;
- Keep our processes as lean as possible so works makes sense even to our youngest employees;
- Communicate well and often. Let people know what is happening in the organization;
- Make wise hiring decisions and continually evaluate our hiring practices; and
- Hold people accountable for adhering to our respectful workplace and harassment-free policy.

Our agency's strength lies in our employees and our customers. Our employees know the complex business of licensing and investigating, both of which are critical in meeting our mission of protecting the public from unscrupulous physicians. We are a very professional organization that lives with high expectations every day. The challenges we face are few:

- Communications – we must learn to communicate better. We have a generational span of ages 19 to 85. At times it seems they speak different languages. We must become more active promoting respectful and sensitive communication. They are also very different in their technology skills. Our older employees tend to need more time and hands-on help learning new computer skills.
- Positive attitudes – the pay cuts and furloughs have had a negative effect on our employees. Helping employees feel valued is difficult. We must increase our appreciation of our hard-working employees in ways that do not cost money.
- Losing staff – Losing our senior employees will make it increasingly difficult to train our talented younger employees. We must start a more aggressive cross-training program.

V. JULY 1, 2011 – JUNE 30, 2013

A. *Goals for our Affirmative Action Plan*

The Affirmative Action goals of the Oregon Medical Board for the 2011-2013 biennium are:

1. The HR Manager, supported by the Director, will continue to educate and guide managers in creating applicant pools and interviewing processes that are welcoming to all people, and helping them understand the benefits of a diverse workforce and supporting our Affirmative Action Plan. This will be accomplished by the HR Manager actively participating in all recruitment and selection activities and including AA performance measures on annual evaluations. It also includes attendance at the Governor's Affirmative Action Office workshops.
2. The HR Manager will utilize creative means that are free or low cost to advertise vacancies to people of color, disabled individuals and women. These may include attendance at job fairs, contacting community and specialized ethnic organizations, communicating with higher educational facilities (especially for interns), posting on various web sites, and using the services of the Governor's Affirmative Action Office for our higher-level positions. Underfills will be offered to increase current employee growth options.
3. All managers will support activities that develop a work environment that is attractive to a diverse pool of applicants, retains employees, and is accepting and respectful of employees' differences. A welcoming environment will be created a number of ways - by sharing e-mail activity notices from the Governor's Affirmative Action Office, posting posters and flyers in the break room, encouraging employees to share their thoughts and ideas, responding to issues quickly and efficiently, etc. Respectful workplace behaviors will be expected and enforced. Expectations will be presented using formal training, written policies and procedures, and/or one-on-one counseling.
4. Managers will continue to offer and encourage career development, mentorship and training opportunities for all employees particularly those of color, employees with disabilities and female employees to prepare them for advancement and retain them in the agency. Managers will also utilize employee retention ideas that include offering flexible schedules, having open door policies, listening respectfully and responding quickly to problems. Managers will be evaluated on their compliance with the agency's AA objectives by rating them on their annual performance evaluation.
5. The Director will encourage managers to use interns when they have specific projects that fit within an intern's timeframe. We have one currently working with our Health Professional's Program and will try to employ at least one more during the summers of 2010, 2011 and 2012. Using interns, especially those from protected classes, will bring a fresh perspective to the way we conduct business at the Board.

B. Strategies and time lines for achieving our goals

Summer 2010	The Director will present the 2011-2013 Affirmative Action Plan to all employees during a normally scheduled staff meeting and via e-mail to all Board Members. The HR Manager will also request project information from managers that will support at least one intern.
Fall/Winter 2010	The HR Manager will become involved with various cultural organizations in the state and community. She will become a participant in the statewide Diversity Conference as well as a member of the Northwest EEO/Affirmative Action Association. Being part of these organizations will provide our agency with contacts and information to help us on our culturally competent journey. We have already scheduled training with Dr. Ross from Oregon State University. Dr. Ross will be presenting his “Voices” project to our employees. We are offering second language choices on our web site. We will request our employee’s assistance in identifying ways we can make our organization more welcoming and meet the goals of our AA plan.
Spring 2011	The HR Manager will update the Board and managers on OMB’s affirmative action and recruitment statistics. Discuss ways of increasing our diversity and using this plan as our guideline. The HR Manager will also request project information from managers that will support at least one intern.
Winter 2011	The HR Manager will identify a trainer that will conduct all-employee training on another suitable diversity topic. Request our employee’s assistance in identifying ways we can make our organization more welcoming and meet the goals of this plan. Sources for training can be found through the Governor’s Affirmative Action Office, professional organizations, and other providers in the Portland area.
Spring 2012	The HR Manager will update the Board and managers on OMB’s affirmative action and recruitment statistics. Discuss ways of increasing our diversity and using this plan as our guideline. The HR Manager will also request project information from managers that will support at least one intern.
Winter 2012	The HR Manager will identify a trainer that will conduct all-employee training on another suitable diversity topic. Request our employee’s assistance in identifying ways we can make our organization more welcoming and meet the goals of this plan. Sources for training can be found through the Governor’s Affirmative Action Office, professional organizations and other providers in the Portland area.
Ongoing -	The HR Manager will post recruitments on a wide variety of diversity websites, attend job fairs and actively search for minority and disabled applicants using the AA Plan as a guide, and all managers will support the growth of current employees. Continually monitor the welcoming environment of this organization.

Ongoing -

All staff will continue to identify career development, cross-training, mentorship, temporary and rotation opportunities that will provide advancement in support of the Board's Business Continuity and Affirmative Action Plans. Listen and take action on our employee's feedback for creating a more welcoming environment. Continue to keep cultural diversity in the forefront of all employees by sending out information sent to us by the Governor's Affirmative Action Office and showing management's commitment to cultural diversity by being an example of patience, tolerance and respect.

VI. Appendix A

A. *Agency's Policy Documentation*

1. ADA & Reasonable Accommodation Policy and Procedures

All state agencies are required to use DAS's Statewide Policy 50.020.10. It follows this cover page. Please refer to it as well as the following internal procedures.

Oregon Medical Board

TITLE/SUBJECT: Reasonable Accommodation Procedures
NUMBER: 847-201-003
SUPERCEDES: n/a
REFERENCE: Statewide Policy 50.020.10
APPLICATION: All persons with disabilities including job applicants and current employees.
INTERPRETATION RESPONSIBILITY: Business and HR Managers
EFFECTIVE DATE: June 1, 2008
REVISED: June 10, 2010

Procedures for Reasonable Accommodation Requests:

Applicants for Employment:

Step 1	Manager	Identifies the essential functions of the position on the position description, particularly those requiring physical requirements. Some tools to use when establishing essential functions are: <ul style="list-style-type: none"> a. written job descriptions b. the amount of time spent on the function c. consequences of not performing the function d. work experience of past incumbents or incumbents in similar jobs.
Step 2	HR Section	Develops recruitment announcements, which include an offer to provide reasonable accommodation to applicants, upon their request, who need assistance to participate in the application and/or selection process.
Step 3	Applicant	Follows the application procedure described on the job announcement, meets the qualifications for the job with or without accommodation, and qualifies by examination in the same way as a non-disabled applicant. Submits oral or written request for accommodation to Personnel in order to participate in the interview, if necessary.
Step 4	Manager	Interviews applicants. During the interview process, the interviewers may NOT inquire about the existence, nature, or severity of a disability. If a current employee is an applicant for a position, the employee is treated like an outside applicant for the job. A current supervisor who has confidential medical information about the employee should not disclose that information to the person conducting interviews for the new job or to the new supervisor. Ascertain if the applicant is qualified to perform the essential functions of the job with or without reasonable accommodation. After hiring, you may ask the employee if they can evacuate the building safely.

Current Employees:

Step 1	Manager	Identifies the essential functions of the position on each employee's position description.
Step 2	Employee	Identifies the limitations imposed by the disability which prevents or hampers the employee's ability to perform an essential function of their position without accommodation, and submits a request for specific accommodation. The individual may use "plain English" and need not mention the ADA or use phrases like "with reasonable accommodation" in their request.
Step 3	Manager	Notifies the ADA Coordinator of employee's request for reasonable accommodation.
Step 4	ADA Coordinator	<p>Ensures the employee is qualified to perform the essential functions of the job with or without reasonable accommodations. To determine whether or not the person has a disability that qualifies under the ADA, the ADA Coordinator coordinates an interactive dialogue with the employee, their supervisor, and other accommodation specialists as necessary.</p> <p>In certain circumstances, a conversation with the employee's health care provider or medical documentation may be needed for final determination (Forms A and B). If there is a charge for this documentation it is at the employee's expense (may be covered in part/full by medical insurance).</p> <p>The request for documentation must be job-related and consistent with business necessity (i.e., if an employee's ability to do the essential job functions will be impaired by a medical condition or an employee will pose a direct threat due to a medical condition).</p> <p>If an individual has more than one disability, OMB will request information pertaining only to the disability that requires a reasonable accommodation. A second professional opinion at the Board's expense may be required to determine an employee's disability or options for accommodation. Professionals may include doctors, licensed physician's assistants, psychologists, nurses, occupational therapists, physical therapists, speech therapists, vocational rehabilitation specialists or licensed mental health professionals.</p> <p>After determination that the employee is a qualified person with a disability, the employee, manager and ADA Coordinator will begin a collaborative process to explore potential accommodations that would mitigate the limitations.</p>
Step 5	Mgmt Team	<p>Performs job analysis and evaluates employee-submitted recommendation(s) based on the following factors:</p> <ul style="list-style-type: none"> a. Essential functions of the job b. Classification and compensation implications c. Collective bargaining provisions and/or ADA statutes d. Reasonable accommodation alternatives e. Nature and cost of accommodation(s), availability of financial resources, and availability of outside funding

		<p>f. Effect of the accommodation on Agency operations, the ability of other employees to perform their duties, and the Agency’s ability to fairly and effectively apply and enforce the state statutes for which it has responsibility</p> <p>g. Whether the accommodation and/or alternatives shall enable the individual to perform the essential functions of the job.</p> <p>Some common areas for reasonable accommodation are:</p> <ul style="list-style-type: none"> a. facilities readily accessible and usable b. job restructuring (except essential functions) c. modified work schedule d. acquisition of modified equipment or assistive devices e. adjustment of tests, policies or training f. negotiated variances in the collective bargaining agreement, or provision of readers or interpreters <p>The Board may consider reassignment to a funded, vacant position as a possible accommodation. However, the Board is not required to create a new position. Employees cannot employ “bumping rights” to an occupied position as an accommodation for a disability. Makes decision regarding the accommodations that will be made</p>
Step 6	ADA Coordinator	Notifies the employee requesting the accommodation of the Agency’s determination and specific accommodations it proposes to make if accommodations are feasible. Documents all actions taken by the agency and ensures agency-wide consistency in approach to approving or denying accommodation requests.
Step 7	Employee	Notifies the ADA Coordinator if the accommodation is or is not acceptable.
Step 8	ADA Coordinator	Coordinates with the parties involved to insure the accommodations are completed.
Step 9	Employee	If s/he rejects the accommodation(s) offered, has no reasonable alternatives, and cannot perform the essential functions of the job as a result of the rejection, then s/he will not be considered a qualified individual for that position. The agency will then take appropriate steps, up to and including termination from the position.

CONFIDENTIALITY:

Information obtained during the reasonable accommodation process regarding the medical condition or history of the applicant/employee shall be held confidential as medical records, with these exceptions:

- Managers and supervisors may be informed regarding necessary accommodations.
- First aid and safety personnel may be informed, where appropriate, if the impairment might require emergency treatment, or if accommodations need to be made for the safe evacuation of the building.
- Government officials investigating compliance with Section 504 of the Rehabilitation Act, or the Americans with Disabilities Act, shall be provided relevant information upon request. To ensure confidentiality, all information concerning applicants/employees will be maintained by the HR Section in confidential files separate from their personnel file.

APPEAL PROCEDURES:

Any employee or applicant who believes they have been discriminated against because the Oregon Medical Board failed to provide reasonable accommodation may file a complaint with the Agency Director, the Business or HR Manager (ADA Coordinator), or a supervisor. All reported incidents will be investigated promptly, thoroughly, impartially, and discreetly. The investigator will notify the complainant in writing of the results of the investigation.

Formal appeals/complaints may also be filed with the state's Affirmative Action Office; the Bureau of Labor and Industries; the Equal Employment Opportunity Commission; or the United States Department of Labor, Office of Civil Rights.

ADA RESOURCES:

Contact the ADA Coordinator for current resources.

2. Discrimination and Harassment Free Workplace Policy & Procedures

All state agencies are required to use DAS's Statewide Policy 50.010.01. It follows this cover page. Please refer to it as well as the following internal procedures:

Oregon Medical Board

TITLE/SUBJECT: Professional & Harassment-Free Workplace Procedures

NUMBER: 847-201-006

REFERENCE: Statewide Policy 50.010.01, Discrimination & Harassment-Free Workplace
Statewide Policy 50.010.03, Maintaining a Professional Workplace

APPLICATION: All OMB Employees

INTERPRETATION RESPONSIBILITY: Business and HR Managers

EFFECTIVE DATE: June 1, 2008

REVISED: July 1, 2010

Step 1	HR Manager	Ensure all employees receive, read and understand the two policies referred to in this procedure. Ensure the employee signs an acknowledgement form which will be maintained in their personnel file.
Step 1	Employee	Reports incident(s) to his/her supervisor, any manager or the HR Manager. It may be oral or written (a sample form is attached) and contain details such as: <ul style="list-style-type: none"> • Names; • Witnesses; • Specific description of the conduct or action s/he believes it discriminatory or harassing; • Date(s) and time(s); and • A suggested remedy.
Step 2	Manager	Immediately informs the Executive Director and the HR Manager or designee.
Step 3	OMB/HR Managers	Jointly determines what action shall be taken. It may include, but is not limited to: <ul style="list-style-type: none"> • Recording the complaint in writing; • Informing the alleged harasser about the complaint; • Investigating the complaint; • Determining whether the alleged conduct occurred, whether it was a violation of policy, and the appropriate type and level of corrective action, if any; • Implementing corrective action pursuant to the collective bargaining agreement and/or state policy as appropriate; and • Responding to complainant and alleged harasser in writing.

Discrimination Complaint Form

Date of File: _____

Date Received by Agency: _____

**To initiate a charge of discrimination or harassment,
this form must be filed within one year or 365 working days of the alleged violation.**

1. Complainant's Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Home Telephone: _____ Business Telephone: _____
2. Agency and/or individual that you believe committed the act(s) of discrimination:
Agency: _____ Department: _____
Individual: _____ Title: _____
3. Complainant was discriminated against because of (check all categories in "A" through "I" that apply to the act(s) of discrimination):
 - a. ___ Age (Please indicate your age.) _____
 - b. ___ Disability (Specify the name of your disability and/or provide a brief description of its symptoms.)

 - c. ___ Familial Status
 - d. ___ Genetic
 - e. ___ Marital Status
 - f. ___ National Origin (Please indicate your national origin.)

 - g. ___ Political Affiliation (Please indicate your affiliation.)

- h. Race/Color (Please check the racial or ethnic group with which you identify.)
- i. **American-Indian or Alaskan Native:** All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
 - ii. **Asian:** All persons having origins in any of the original people of the Far East, Southeast Asia or the Indian subcontinent. This area includes, for example, China, Japan and Korea.
 - iii. **Black or African-American:** All persons having origins in any of the black ethnic groups.
 - iv. **Hispanic or Latino:** All persons having origins in any of the Mexican, Puerto Rican, Cuban, Central or South America, or other Spanish cultures, regardless of race.
 - v. **Native-Hawaiian or Other Pacific Islander:** All persons having origins in any of the original peoples of the Pacific Islands. This area includes, for example, Hawaii, the Philippine Islands and Samoa.
 - vi. **White (not of Hispanic origin):** All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.
 - vii. **Two or More Races:** All persons claiming origins in more than one of the above racial/ethnic categories.

i. Religion (Please indicate your religion or religious beliefs.)

- j. Retaliation
- k. Sexual Harassment
- l. Sexual Orientation
- m. Veteran's Status

4. When did the act(s) of discrimination occur? _____

Date(s)

5. Briefly describe the act(s) of discrimination:
 (Please include names, telephone numbers, and job titles of all persons involved in the discriminatory acts you describe.)

(Additional sheets may be attached.)

6. What relief are you seeking?

7. Have you filed a grievance concerning this matter? Yes _____ No _____
If "yes," please provide a copy of the grievance form and all associated documents. Briefly explain the status of the grievance.

8. Has this complaint been filed with any other Federal, State, or local investigative agency?
Yes _____ No _____ If "Yes," complete "A-C" below.

a. Agency: _____ Contact Person: _____

b. Address:

City: _____ State: _____ Zip Code: _____

c. Phone Telephone: _____ Date Filed: _____

9. Have you filed a lawsuit concerning this complaint in Federal or State court?

Yes _____ No _____ If "Yes," complete "A and B" below.

a. Name of Court:

b. Case Docket Number: _____

I affirm that the information I'm submitting is true to the best of my knowledge and belief.

Signature: _____ Date: _____

Filing with this office does not preclude you from filing with the Governor's Affirmative Action Office, Federal Equal Employment Opportunity (EEOC) or Bureau of Labor and Industries (BOLI) or other federal or state agencies.

3. Employee and Training Policy

Oregon Medical Board Policy	
TITLE/SUBJECT:	Employee Development
NUMBER:	847-201-004
SUPERCEDES:	n/a
REFERENCE:	State Policy 50.045.01 SEIU/OPEU Article 121.50,W
APPLICATION:	All OMB Employees
INTERPRETATION RESPONSIBILITY:	Business and HR Managers
EFFECTIVE DATE:	June 1, 2008
REVISED:	June 1, 2009

POLICY APPROVED BY: _____ **Signature on File** _____
Kathleen Haley, Executive Director

PURPOSE/POLICY:

Provide resources and learning opportunities for Oregon Medical Board employees to perform the duties of their current position and to encourage their career development in state service. In accordance with the Oregon Benchmarks and State Policy, it is the goal of the Oregon Medical Board to provide all employees with at least 20 hours of training related to work skills and knowledge each fiscal year.

DEFINITIONS:

Training related to work skills – includes formal instruction that relates to an employee’s competence to perform their specific job, an employee’s work environment, or an employee’s state government career. It may also include both in-agency and cross-agency job rotations and developmentals.

Job required training – provides knowledge or skills specific to an employee’s current job. It is needed for the successful performance of that job. Examples include technical knowledge, use of equipment, software applications, organizational skills and interpersonal skills.

Job related training – provides knowledge or skills an employee needs to meet agency or state performance expectations. Examples include understanding the agency or state mission and values, policies and procedures, customer service standards, safe work practices, valuing diversity and preventing harassment.

RESPONSIBILITIES:

Manager

1. Asses the training needs of their employees on an on-going basis.
2. Develop and implement individual employee development plans that enable employees to successfully perform their jobs and contribute to the achievement of the Board's mission and goals.
3. Job required and job related training shall be conducted without loss of pay to the employee and the employee shall be paid for the time as time worked.
4. Encourage employees to research training opportunities for consideration.

HR Manager

1. Schedule and provide agency-wide training programs that meet common needs.
2. Provide communication about internal and external training programs, services, resources and opportunities.
3. Track in-agency training completed by employees.
4. Support managers and employees in the goal of 100% participation in at least 20 hours of training each year.

Employees

1. Identify and research training opportunities that are job required or job related. Share information with manager.
2. Complete and submit a Career Development Request form, which can be found on the S drive, Public Information, Forms.

4. Maintaining a Professional Workplace Policy and Procedures

All state agencies are required to use DAS's Statewide Policy 50.010.03. It follows this cover page. Please refer to it and the procedures embedded in the policy for reporting complaints. Our internal procedures (847-201-006 attached to the Reasonable Accommodation Policy listed earlier) offer ways of reporting complaints for both the Professional Workplace and Harassment-Free statewide policies.

5. Veteran's Preference in Employment Statewide Rule

DEPARTMENT OF ADMINISTRATIVE SERVICES, HUMAN RESOURCE SERVICES DIVISION 40 FILLING POSITIONS

105-040-0015

Veteran's Preference in Employment

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.

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. Other Agency Documentation in Support of the AA Plan

- a. Invitation to Self-Identify: Gender, Race/Ethnicity, Vet Status
- b. Invitation to Self-Identify: Individuals with a Disability

(See following form used for new and current employees)

**Voluntary Self-Identify Race/Ethnicity, Disabled and Veteran Status
For
Affirmative Action/Equal Opportunity Employment (EEO) Data Reporting**

The information below will be use for statistical purposes to comply with federal reporting requirements and to help in developing and monitoring our Affirmative Action Plan and diversity initiatives. Thank you for your participation.

Sex

- Male Female

Race/Ethnicity

Please check one or more of the following categories to identify your race/ethnicity.

- American-Indian or Alaskan Native:** All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
- Asian:** All persons having origins in any of the originals peoples of the Far East, Southeast Asia or the Indian subcontinent. This area includes, for example, China, Japan and Korea.
- Black or African-American:** All persons having origins in any of the black ethnic groups.
- Hispanic or Latino:** All persons having origins in any of the Mexican, Puerto Rican, Cuban, Central or South America, or other Spanish cultures, regardless of race.
- Native-Hawaiian or Other Pacific Islander:** All persons having origins in any of the original peoples of the Pacific Islands. This area includes, for example, Hawaii, the Philippine Islands and Samoa.
- White (Not of Hispanic origin):** All persons having origins in any of the original peoples of Europe, North African or the Middle East.
- Two or More Races:** All persons claiming origins in more than one of the above racial/ethnic categories.
- Decline to answer**

Veteran

Are you a Veteran of the United States Armed Forces?

- Yes No

A Person with a Disability?

- Yes No

Employee Signature: _____ Date: _____

Employee Print Name: _____

VIII. Appendix B

The documents in Appendix B were supplied by the Governor's Affirmative Action Office and follow this page.