



Oregon Board of Licensed Professional Counselors and Therapists

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Diversity & Inclusion/
Affirmative Action Statement
July 1, 2017 to – June 30, 2019

Oregon Board of Licensed Professional Counselors and Therapists
Diversity & Inclusion/ Affirmative Action Statement
2017-19 Biennium

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A. Agency Mission and Objectives

The Oregon Board of Licensed Professional Counselors and Therapists (OBLPCT) was created for the purpose of examining and licensing persons in Oregon who engage in the practice of professional counseling and marriage and family therapy. The Board is also charged with safeguarding the people of the State of Oregon from the dangers of unqualified and improper practice of these professions.

Professional counseling means assessment, diagnosis or treatment of mental, emotional or behavioral disorders involving the application of mental health counseling or other psychotherapeutic principles and methods in the delivery of services to individuals, couples, children, families, groups or organizations. Marriage and family therapy means the assessment, diagnosis or treatment of mental, emotional or behavioral disorders involving the application of family systems or other psychotherapeutic principles and methods in the delivery of services to individuals, couples, children, families, groups or organizations.

It is unlawful to practice professional counseling or marriage and family therapy, or to represent oneself as a licensed professional counselor (LPC) or licensed marriage and family therapist (LMFT), without first being properly licensed by the OBLPCT.

The Board consists of eight members- three are LPCs, two are LMFTs, one is from the faculty of Oregon program that trains persons to become LPCs or LMFTs, and two are from the general public, not associated with the profession. All members are appointed by the Governor to three-year terms and confirmed by the Senate. The Board hires staff to administer all official business. The Board meets in even-numbered months, typically at its offices in Salem. The Board is funded solely from application and licensure fees, collection of civil penalties assessed for violations of statute or rule, and other miscellaneous fees. Decisions are made in open public meetings where guests are encouraged to attend.

The Board carries out its mission of consumer protection by setting clear education, experience and exam standards for licensing; establishing a code of ethics by which licensees must abide; imposing discipline for unethical, negligent or illegal practice; and requiring licensees to provide each client with a professional disclosure statement. Through the examination of applicants, the Board accomplishes its legislative mandate to establish standards of service and training and educational qualifications for the rendering of ethical mental health services in Oregon. Because the Board believes that regular continuing education ensures the highest quality of professional services to the public, the Board requires that all LPCs and LMFTs complete forty hours of continuing education biennially, with a minimum of four in the professional ethics. The Board protects consumers by promptly investigating all complaints made concerning either the unethical or unlicensed practice of professional counseling and marriage and family therapy in Oregon.

The statutory authority of the Board is contained in Oregon Revised Statutes 675.705 to 675.835, and Chapter 676 (Health Professions Generally). The Board's Oregon

Administrative Rules are located in Chapter 833. LPCs and LMFTs, as public officials, are required to follow state requirements for reporting the abuse of children, the elderly, and adults with mental illness, and the unprofessional conduct of other health care professionals, subject to psychotherapist-patient privilege as established by Oregon law.

B. Affirmative Action Policy Statement

The Board of Licensed Professional Counselors and Therapists is committed to achieving a work force that represents the diversity of Oregon's population and to providing fair and equal employment opportunities. The Board 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 or disability. The Board provides an environment for each applicant and employee that is 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, marital status or disability. The Board employment practices are consistent with the State's Affirmative Action Plan Guidelines and with state and federal laws, which preclude discrimination.

The Board of Licensed Professional Counselors and Therapists 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.

The Board 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. The Board will also continue to administer these practices without regard to race, color, religion, gender, sexual orientation, national origin, age, marital status 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.

The Board 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 (ORS 659A.082).

The Board will provide an environment for each applicant and employee that is free from sexual harassment, as well as harassment and intimidation on account of individual's race, color, religion, gender, sex, sexual orientation, marital status, national origin, age, familial status or disability.

Complaint Process regarding Discrimination or Harassment

The complaint procedure provides a method of resolving complaints involving violation of the Board of Licensed Professional Counselors and Therapists' nondiscrimination

policy within the agency. Employees, applicants and eligibles are encouraged to use the complaint process. Retaliation, coercion, reprisal, or intimidation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels or serving as a witness is prohibited.

a. Informal Complaint Process

An employee may notify the Executive Director of an issue or concern regarding discrimination in order to raise awareness or put the agency on alert without filing a formal complaint. In these situations:

- i. The employee may ask the Executive Director to keep the matter and identity of the employee confidential. (The agency will comply with the request, if possible.)
- ii. The employee will sign documentation stating that he/she wishes his/her identity to remain confidential.
- iii. The discussion will be documented.
- iv. The Affirmative Action Representative will review the information and maintain confidentiality of the employee's identity when it is determined that action is necessary to correct the problem or to prevent a reoccurrence in similar situations.

b. Internal Complaint Process

- i. Any individual who believes he/she has been subjected to unlawful discriminatory actions may file a complaint within 30 calendar days of the alleged incident.
- ii. Represented employees may file a complaint either through the Collective Bargaining Agreement grievance procedure or by using the procedures provided by the agency.
- iii. An employee may submit a written complaint to the Executive Director that explains the basis for the complaint, identifies the alleged discriminating party or parties and the date the discriminatory action(s) occurred, and specifies the relief requested.
- iv. The Executive Director will review/investigate the complaint and provide the complaint written notification of the findings within 30 days. If additional time is needed for investigating the allegations or to issue a report of the findings, the agency will notify the employee in writing of the need for additional time.
- v. If the investigation substantiates the complaint, appropriate corrective action will be initiated, including discipline if warranted.

c. External Complaint Process

If an employee is not satisfied with the complaint process within the agency and wishes to appeal an agency decision, the employee may contact one of the organizations listed below. Nothing in this policy prevents any person from filing a grievance in accordance with the Collective Bargaining Agreement, or from filing a formal complaint with the Bureau of Labor and Industries (BOLI) or Equal Employment Opportunity Commission (EEOC). However, some collective bargaining agreements may require an employee to choose between the complaint procedure outlined in the agency's guideline for filing a BOLI or EEOC complaint.

Oregon Bureau of Labor and Industries - Civil Rights Division

800 NE Oregon St., Suite 1045

Portland, OR 97232

Phone Number: 971-673-0764

The Oregon Bureau of Labor and Industries - Civil Rights Division is the Oregon state equivalent of the federal EEOC. As a designated Fair Employment Practices Agency (FEPA), the Oregon Bureau of Labor and Industries - Civil Rights Division may coordinate operations with the EEOC under a work-share agreement. Furthermore, the Oregon Bureau of Labor and Industries - Civil Rights Division investigates state claims that are not covered by federal law or exceed the basic protections of federal law. Individuals filing a charge of discrimination with the EEOC should also file a copy of the charge with the Oregon Bureau of Labor and Industries - Civil Rights Division.

Eugene Oregon Bureau of Labor and Industries 1400 Executive Parkway, Suite 200 Eugene, OR 97401 Phone Number: 541.686.7623	Portland Oregon Bureau of Labor and Industries 800 NE Oregon Street, Suite 1045 Portland, OR 97232 Phone Number: 971.673.0761
Pendleton Oregon Bureau of Labor and Industries 1327 SE 3rd Street Pendleton, OR 97801 Phone Number: 541.276.7884	Salem Oregon Bureau of Labor and Industries 3865 Wolverine Street NE; E-1 Salem, OR 97305 Phone Number: 503.378.3292

Governor's Affirmative Action Office

255 Capitol Street NE, Suite 126

Salem, OR 97301

Phone Number: 503-986-6524

Website: <http://www.oregon.gov/gov/GovAA/Pages/index.aspx>

U.S. Equal Employment Opportunity Commission

Seattle Field office EEOC Office/ Federal Office Building

909 First Avenue, Suite 400

Seattle, WA 98104

Phone Number: 206-220-6883; TPP Phone Number: 206-220-6882

The EEOC does not maintain an office in Oregon. The Seattle Field Office is open Monday – Friday from 8 a.m. – 4:30pm.

File a Charge of Discrimination: <http://www.eeocomplaint.com/>

Department of Labor, Office of Federal Contract Compliance (OFCC)

1315 SW Fifth Avenue, Suite 1030

Portland, OR 97201

Phone Number: 503-326-4112

The U.S. Department of Labor

Pacific Regional Office 71 Stevenson Street, Suite 1700

San Francisco, CA94105

Phone Number: 503-848-6969

The Civil Rights Office of Health & Human Services

Office of Civil Rights, Region D

2201 Six Avenue, Mail Stop RX-11

Seattle, WA 98121

Phone Number: 206-615-2290; TDD Phone Number: 206-615.2296

Board of Licensed Professional Counselors and Therapists

Affirmative Action Representative/Director

Charles Hill

Executive Director

3218 Pringle Road SE, Suite 250

Salem, OR 97302-6309

Phone Number: 503-373-1155

The Board of Licensed Professional Counselors and Therapists remains committed to its policy on Affirmative Action and Equal Opportunity and to a rigorous and active affirmative action program. Likewise, the Statement represents the Board's commitment to equal opportunity and affirmative action in employment and public service consistent with all applicable federal and state laws, including, but not limited to: Executive Order

11246; Executive Order 16-09; Title VII of the Civil Rights Act of 1964; Sections 503 and 504 of the Rehabilitation Act of 1974; the Vietnam Era Veterans Readjustment Assistance Act; and the Americans with Disabilities Act.

C. Affirmative Action Summary Statement

a. Affirmative Action 2015-17 Objectives

i. Goals Set and Met

The goals set by the State Board of Licensed Professional Counselors and Therapists' Affirmative Action Plan for the 2015-17 biennium were:

1. Use the exit survey when and if we have staff turnover.
2. Reach out to minority and people of color to recruit candidates when positions are vacant.
3. Our goal is to ensure that the Board, the agency staff, and licensed mental health practitioners take active steps to increase their knowledge about cultures and the growing diversity of Oregon's population and to ensure that they provide culturally appropriate services.
4. Continue the activities and policies set during the 2009-11 and 2011-13 biennia.
5. Continue inclusion of diversity, affirmative action, and cultural competency language in administrative rules, policy, academic graduate level training, and review of Oregon graduate counseling and marriage and family therapy programs.
6. Encourage employees to attend the Governor's Affirmative Action Office informational trainings.
7. Continue to work with the Governor's office to identify diverse applicants for board appointment.

Examples:

1. Representatives of the Board from DAS Human Resources attended the AA/Diversity and Inclusion meeting sponsored by the Governor's office on June 15, 2016.
2. Board staff is scheduled to attend the all-day 2016 Diversity and Inclusion Conference for State of Oregon Employees on September 14, 2016.
3. The Board is currently collaborating with the Oregon Health Authority (OHA) to implement House Bill 2611 (2013), which provided that certain agencies, including the Board, may implement a requirement that licensees complete cultural competency training. On August 10, 2016, the Board filed a notice of proposed rulemaking hearing that includes a proposal to adopt

an administrative rule that requires LPCs and LMFTs to complete four hours of education dedicated to cultural competency within each biennial reporting period. After reviewing public comment, the Board will vote on whether to adopt the permanent rule on October 7, 2016.

4. The Board employs a total of 4.5 FTE, including 3.5 FTE permanent and 1.0 FTE limited duration staff as authorized for the 2015-17 biennium. 4.0 FTE (89%) consists of individuals from protected classes, representing an increase of 1.5 FTE from the prior biennium. The Board employs 3 veterans.
5. During the 2015-17 biennium, the Board has hired 3.0 FTE new staff, 83% representing protected classes. The Board's recruitment efforts, in close partnership with the Oregon Department of Administrative Services, Enterprise Human Resource Services unit, continue to be consistent with the agency's affirmative action goals and objectives.
6. In March of 2015, the Board hired a new Executive Director whose job description includes developing and implementing the Board's Affirmative Action/ EEOC policy and requirements.
7. The two longest retained staff members (1.5 FTE) represent protected classes, with a combined total of 28 years with the Board.
8. In June of 2015, the Board's Executive Director created a work-out-of-class assignment opportunity for an employee from a protected class to develop the employee's career skills while performing higher level duties for a limited period. This employee is also participating in the Leadership Oregon 2016 program for public service leadership skills development; this program incorporates cultural competency training.
9. The Board continues to survey all applicants for tracking and reporting language and race statistics. Diversity data is stored in the Board database and can be queried for various types of information. This has enabled Board staff to assist consumers in searching for culturally competent services or healthcare providers who speak particular languages or belong to specific racial or ethnic groups.

ii. Goals Set and Not Expected to Meet

- j. Build cultural competence/diversity into every Board meeting agenda.

While the topic was built into a majority of Board meetings, it was not built into every Board meeting.

b. Affirmative Action 2017-19 Objectives

The goals set by the State Board of Licensed Professional Counselors and Therapists Affirmative Action for the 2017-19 biennium are:

1. Continue to post the Board's Diversity & Inclusion/Affirmative Action Statement on the Board's website, provide it to new board member upon appointment and employees upon hire, and encourage staff to review and discuss questions or concerns with their supervisor.
2. The Executive Director will continue to be evaluated by the Board annually for adherence to the Statement.
3. Continue to identify the Agency as an Equal Opportunity/Affirmative Action employer and include the statement, "THE BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS IS AN EQUAL OPPORTUNITY, AFFIRMATIVE ACTION EMPLOYER COMMITTED TO WORK FORCE DIVERSITY" in the Board's recruitment announcements and advertisements.
4. Continue to provide information and opportunities for staff to participate in diversity training and multi-cultural events.
5. Periodically review the results of the Statewide Exit Survey administered by HR to separating employees as required by Executive Order 08-18, and discuss any concerns or trends. As employees change agencies or separate from state employment, the Board is interested in how employees view their tenure and what information and suggestions they can provide related to their experience. If the analysis identifies a negative opinion regarding the agency's workplace environment, the Board will use this information as an opportunity to make changes to improve the work environment for the current employees, and improve job satisfaction.
6. Continue to develop strategies to recruit, retain and promote a diverse staff. The Board recognizes the value of individual and cultural difference and creates a work environment where talents and abilities are valued.
7. Continue to work with the Governor's office to identify diverse applicants for board appointment.
8. Revise, as needed, recruitment and promotion policies and criteria for exceptions that provide the opportunity for the Board to recruit a more diverse population and also provide appropriate advancement opportunities for incumbents, including a focus on the retention of women and minorities.
9. Continue the focus on developing 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 is created a number of ways - by sharing e-mail activity notices from the Governor's Affirmative Action Office, posting posters on the employee bulletin board, encouraging employees to share their thoughts and ideas, responding to issues quickly and efficiently, etc. Respectful workplace behaviors will be expected and enforced.

10. Encourage employees to avail themselves of promotional and job developmental opportunities within Oregon State Government.
11. Work closely with the Department of Administrative Services to determine appropriate recruitment and training opportunities to develop higher levels of cultural competency.
12. Continue to communicate the importance of diversity in staff meetings and include diversity discussions with staff. The Board utilizes diversity within the workforce by incorporating diverse perspectives into business decisions. Management will attend required training to participate in the development and implementation of a program that fosters cultural competency and multi-cultural organizational development.
13. In 2017-19 the Board is proposing an administrative merger with the Board of Psychologist Examiners. If successful, this arrangement will result in a larger pool of staff members with shared staff duties and increased opportunities for advancement within the Agency, which is currently limited due to qualification requirements of only a few positions. It will further allow for cross-training to accommodate key employee absence and develop employees' skill sets.
14. Continue to look for opportunities to incorporate trainings and special project assignments in order for employees to acquire new skills for succession planning and to provide resources for employees to encourage their career development in state service, as is reasonably practicable to do.

c. Human Resources Services

The Board receives Human Resources Services from the Department of Administrative Services, Chief Human Resource Office:

Cyndi Smith
Client Agency Human Resources Manager
Chief Human Resource Office
Department of Administrative Services
155 Cottage St
Salem, OR 97301
503-378-2298

d. Governor's Policy Advisor

Jeremy Vandehey
900 Court Street NE
160 State Capitol
Salem, OR
(503) 378-6169

e. Agency's Affirmative Action Representative

Agency Board and Staff Development:

Charles Hill
Executive Director
3218 Pringle Road SE, Suite 130
Salem, OR 97302-6309
503-373-1155

Human Resources & Employee Recruitment:

Cyndi Smith
HR Shared Client Services
Department of Administrative Services
155 Cottage St
Salem, OR 97301
503-378-2298

Board Member Recruitment:

Mary Moller
Executive Appointments Director
Office of Governor Kate Brown
900 Court Street, Rm 160
Salem, OR 97301
503-373-1558

f. Agency Director Signature



Charles Hill, Executive Director

9/12/16

Date