

90-DAY AGENCY ASSESSMENT



September - November 2023

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Executive Summary

Director Erin McMahon was appointed to lead the Oregon Department of Emergency Management (ODEM) on Aug. 18, 2023 and was confirmed by the Senate on Sept. 29, 2023. Immediately following her appointment, Director McMahon led an agency-wide assessment to review the operational effectiveness of ODEM, both as an organization and as a team, to document areas of growth and improvement that could be integrated into future strategic planning. The assessment will further inform leadership decisions regarding resources and changes made across the organization to best support the Governor's direction to lead the agency's transition into an independent department for the state.

In a letter dated Sept. 12, 2023, Governor Kotek (appendix A) stated:

*"You arrive at a time of transition for the agency and for emergency management in Oregon. ODEM has increased in size and independence since 2021. It is called to respond with increasing frequency to heat, severe storms, wildfires, and floods. The agency must now mature its systems and culture to meet the needs of Oregonians in this moment. And it must maintain readiness even while it grows and transforms. While not an easy task, I am confident in your leadership, ability, and experience to guide the agency through this time of growth and transition."*¹

This 90-day assessment yielded 33 findings with which the ODEM leadership will have the opportunity to make decisions regarding organization goals, strategic planning and resource requirements necessary for the 2025/2027 Biennium. The findings are broken into six areas as follows:

1. Personnel management – six findings centered on cultural issues internal to ODEM that impact its delivery of customer service and need for additional personnel and resources.
2. Training and leadership – four findings regarding the lack of established professional development opportunities and the need for improved leader and team training.
3. Business plans and procedures - three findings that highlighted the lack of policies and procedures internal to ODEM that are reflective of ODEM as a stand-alone agency.
4. Data systems management - seven critical findings regarding the lack of data management tools, leadership and capacity.
5. Internal and external communications - seven findings about how personnel within ODEM communicate within the organization and with external agencies at the state and local level. Includes an examination of those programs specific to providing external engagement.
6. Fiscal management - six findings that highlight the gaps in budgeting and accounting within ODEM that are impacting the ability to properly fund emergency management programs within ODEM caused due to a poor transition into an independent agency exacerbated by weak internal controls.

Each of these areas were reflective of an organization that had grown during a period of stress without deliberate planning, proper oversight and leadership development.

¹ Memorandum to Director McMahon, Office of Governor Kotek, dated Sept. 12, 2023.

A lack of professional development, policies, personnel, data tools, and sufficient fiscal practices impacted the current staff's ability to deliver a level of customer service necessary to best support local emergency management across the state.

Ninety days is not enough time to fully assess an organization, particularly one that is not static. The assessment team was challenged to ensure the mission of ODEM was not impacted while the assessment took place and made only small organizational and planning adjustments that were necessary. While the team met with many individuals internal to the organization and across the state there is still much to be learned. As we begin to develop our strategic plan for ODEM in 2024 along the lines of effort identified through this assessment, there will be more opportunities for engagement and collaboration.

Background

Prior to July 2022, the Oregon Office of Emergency Management was located within the Oregon Military Department, and the director of the office was appointed by the Adjutant General with the approval of the Governor. In 2021, a report titled *State of Oregon After-Action Review Enterprise Response to COVID-19*² made several recommendations regarding OEM. Specifically, *“Consider OEM’s place within the Military Department and whether it is time to adjust OEM’s placement in the state organizational structure to provide more visibility and alignment with partner response agencies. This evaluation should include converting the ECC from a coordination center to a full Emergency Operations Center. Create connections with local businesses that could be used to fulfill needed communication requests and develop a communication method to place orders for those supplies from around the state. More top-down information sharing and clarity of information.”*³

The House Committee on Veterans and Emergency Management, spearheaded by Representative Paul Evans, proposed several bills in response to this report, arguing that frustrations among local and regional emergency management agencies and leadership with existing structures and systems have negatively impacted the statewide resiliency posture.⁴ A bill was put forth to create a separate standalone Department of Emergency Management for Oregon. House Bill 2927 renamed and reorganized the Office of Emergency Management into the Oregon Department of Emergency Management. This move had bipartisan support in both chambers of the legislature and passed with nearly unanimous support during the 81st Oregon Legislative Assembly in 2021; it was codified at ORS 401.052. The official date of ODEM operation was July 1, 2022.

Under the law, ODEM is responsible for “Coordinating and facilitating private sector and governmental efforts to prevent, prepare for, respond to and recover from emergencies; and coordinating exercises and training, planning, preparedness, response, mitigation, and recovery activities with state and local emergency services agencies and organizations.”

The leadership team for ODEM was put in place in September 2023. Erin McMahon was appointed director of the Oregon Department of Emergency Management in August 2023 and confirmed by the Oregon Senate in September 2023. Patence Winningham was appointed deputy director of the Oregon Department of Emergency Management in September 2023.

²[https://olis.oregonlegislature.gov/liz/2019I1/Downloads/CommitteeMeetingDocument/227575#:~:text=This%20after%20action%20review%20\(AAR,public%20health%20decisions%20and%20actions.](https://olis.oregonlegislature.gov/liz/2019I1/Downloads/CommitteeMeetingDocument/227575#:~:text=This%20after%20action%20review%20(AAR,public%20health%20decisions%20and%20actions.)

³[https://olis.oregonlegislature.gov/liz/2019I1/Downloads/CommitteeMeetingDocument/227575#:~:text=This%20after%20action%20review%20\(AAR,public%20health%20decisions%20and%20actions.](https://olis.oregonlegislature.gov/liz/2019I1/Downloads/CommitteeMeetingDocument/227575#:~:text=This%20after%20action%20review%20(AAR,public%20health%20decisions%20and%20actions.)

⁴ Rep Evans statement to Committee for Veterans Affairs dated 2/11/21

<https://olis.oregonlegislature.gov/liz/2021R1/Downloads/CommitteeMeetingDocument/231480> Cited: Years-long frustrations among local/regional Emergency Management agencies/leadership with existing structures and systems have negatively impacted our statewide resiliency posture – Office of Emergency Management within Oregon Military Department is treated as a division of a functionally military enterprise, not civilian-centered • Structural obstacles to local/regional influences • US Government financial audits (multiple) outline Oregon Military Department reallocation of FEMA grant monies – Three (3) instances wherein Oregon has had to repay US Government for improper usage of grant and program funding (since 2014) *

Methodology

The 90-day assessment team included the director, deputy director and special advisors Matt Garrett of ODEM and Travis Hampton of the Department of Administrative Services (DAS). The team focused on the most challenging issues impacting ODEM's operational effectiveness. A review of ODEM's organizational structure and feedback from the internal management team; external state and federal partners; and city, county and tribal emergency management offices helped to develop five initial lines of effort for organizational review. After an initial 30 days, a sixth line of effort was added. The lines of effort include:

- 1) Personnel management
- 2) Training and leadership
- 3) Business plans and procedures
- 4) Data systems management
- 5) Internal and external communications.
- 6) Fiscal management processes⁵

With these areas identified, the team worked to align organizational issues along these lines of effort and developed key findings and recommendations for future changes.

Assessment

Line of Effort #1: Personnel Management

Personnel management includes a review of the overall organizational health, opportunities for individual growth, department culture, employee engagement, equity and inclusion, and resources available to perform functions assigned to ODEM. The focus areas of this line of effort include resources, culture and climate. Under this line of effort there were six findings:

- 1) ODEM does not maintain a culture of customer service to effectively train and empower employees to serve.
- 2) ODEM employees support both ODEM and its mission and desire to be trusted and engaged.
- 3) The climate assessment noted several areas of improvement that should be addressed through direct engagement with management teams and incorporated into the Agency Engagement Plan (AEP).
- 4) ODEM lacks an established process to support feedback to management from colleagues and direct reports.
- 5) A complete organizational development and workforce study for ODEM is necessary to document the workload and provide recommendations for the realignment of resources and personnel to maximize organizational efficiencies.
- 6) ODEM's lack of permanent HR capability has adversely impacted its hiring, retention, recruiting and development of positions.

⁵ Originally titled Grant Management, after an initial 60 days was expanded to include all fiscal management processes.

A. ODEM Culture and Climate

ODEM's culture and climate were evaluated based on external and internal discussions with personnel as well as through the Gallup climate survey that was conducted in October 2023. These discussions revealed the need to cultivate a workplace culture that embraces equity, diversity and inclusion and embed that culture throughout the agency's internal and external operations, communications and relationships. Improvements to these areas of ODEM's culture will enable the agency to function with a fully engaged workforce that is empowered to serve the whole community with excellence.

- 1) External Coordination. External feedback from local emergency management agencies and state agencies consistently shared that ODEM did not exercise good customer service. They described ODEM as *“not helpful, often argumentative, late to need and non-responsive.”* Several provided specific instances where delays or failed coordination by ODEM hindered emergency response and in one instance increased risk to human lives. The result of their shared experience with ODEM was a distancing at the local emergency management level; and at the state level, the establishment of an almost parallel entity that provides services at the local level without the coordination of ODEM. At the local level, emergency managers would seek out regional support before contacting ODEM. Where state support was needed, they either requested the ODEM regional coordinators handle all the communication or they reached out to the other state agencies directly without informing ODEM. The Department of Human Services, which is charged as the lead agency for Emergency Support Function (ESF) 6 – Mass Care, exercised an alternative approach, leaning far forward to deliver immediate customer service through its Oregon Resilience and Emergency Management (OREM) coordinators. OREM's coordinators were largely tracking emergency issues and positioned to provide immediate support, often ahead of an actual declaration or official state tasking for action. Their decentralized management style empowered these teams to make decisions quickly. Improving the lines of communication between the ESFs and ODEM will result in a more resilient responsive enterprise emergency response capability.

The assessment team noted that there was a group of employees at ODEM that embraced ODEM's mission of service and stood out across the organization. Interviews with these employees reflected valued experience and vast knowledge about emergency management and a desire to support those local entities when a crisis occurred. While none of them reported being disciplined for leaning forward to take care of *“customers,”* they did not believe they were empowered to solve problems and felt their delivery of customer service was against the grain.

- 2) Internal Coordination. Employees provided feedback to the assessment team through both the survey and through one-on-one meetings with leadership. The assessment team found that the survey enhanced what the team was seeing in their one-on-one meetings with employees. In-person members conveyed their love for the work that they perform, their desire for clear direction and priorities, and the trust of their leaders. It should be noted that employees universally stated that prior feedback yields no visible organizational change, nor have they ever been asked to provide feedback on their management team. One survey respondent voiced a desire for leadership to, *“Provide us with opportunities to provide feedback on our path forward and help us understand ways to better communicate within the agency.”*

A requirement for management 360s may assist in ensuring employee feedback is considered by leadership. Many managers seemed receptive to this opportunity to gain additional feedback regarding their performance and areas for improvement. There were very few employees who expressed dissatisfaction with the mission of the organization or the new leadership's role and engagement strategy. This is extremely important as the organization works to capitalize on its investment in ODEM to strategize on how it can enhance its support for the organization and develop mechanisms to improve its capacity to best support the whole community in Oregon.

- 3) The Gallup Climate Survey. In February 2023, Governor Kotek issued Agency Expectations that included the requirement that all state agencies conduct an employee engagement climate assessment. Through DAS, the state contracted with Gallup to conduct agency surveys that contained 12 statewide questions for the agency. Agencies were also provided with the option to create additional locally developed questions.

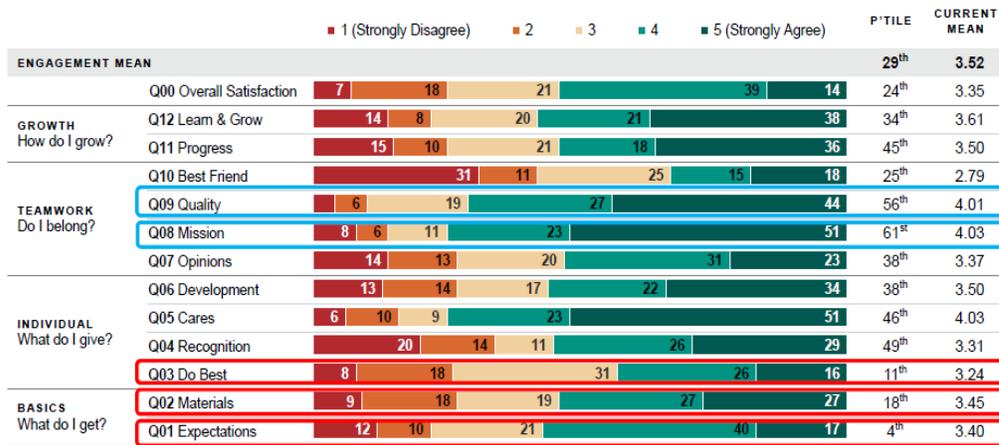
The survey was completed by 100% of personnel assigned to ODEM. Their willingness to provide honest and direct input is a positive step toward addressing challenges that were raised by members.

The original 12 questions (listed in descending order as reflected in Figure 1) were:

12. This last year, I have had opportunities at work to learn and grow.
11. In the last six months, someone at work has talked to me about my progress.
10. I have a best friend at work.
9. My associates or fellow employees are committed to doing quality work.
8. The mission or purpose of my company makes me feel my job is important.
7. At work, my opinions seem to count.
6. There is someone at work who encourages my development.
5. My supervisor, or someone at work, seems to care about me as a person.
4. In the last seven days, I have received recognition or praise for doing good work.
3. At work, I have the opportunity to do what I do best every day.
2. I have the materials and equipment I need to do my work right.
1. I know what is expected of me at work.

Figure 1 below shows that the average score for these survey questions by participants was 3.52 out of 5, with 5 being the highest and 3 being the median score. These scores also include a percentile rating of responses compared with other government agencies at the state and local levels. ODEM scored in the 29th percentile overall against other government agencies. ODEM achieved the highest positive scores on questions 9 and 8, which focus on the mission/purpose of ODEM and the commitment of the staff. This is reassuring as the team is not only aware and supportive of the agency's mission, but they see those around them as being equally engaged. This will be helpful when the whole team is engaged in strategic planning. ODEM received its lowest marks in questions 1-3, which focus on opportunities, resources and expectations. These areas need to be collaboratively developed between management and employees with the help of HR and the executive team. Roles and responsibilities should be clarified early on, followed by identifying the tools employees need to be successful.

Figure 1: ODEM responses to Gallup questions.

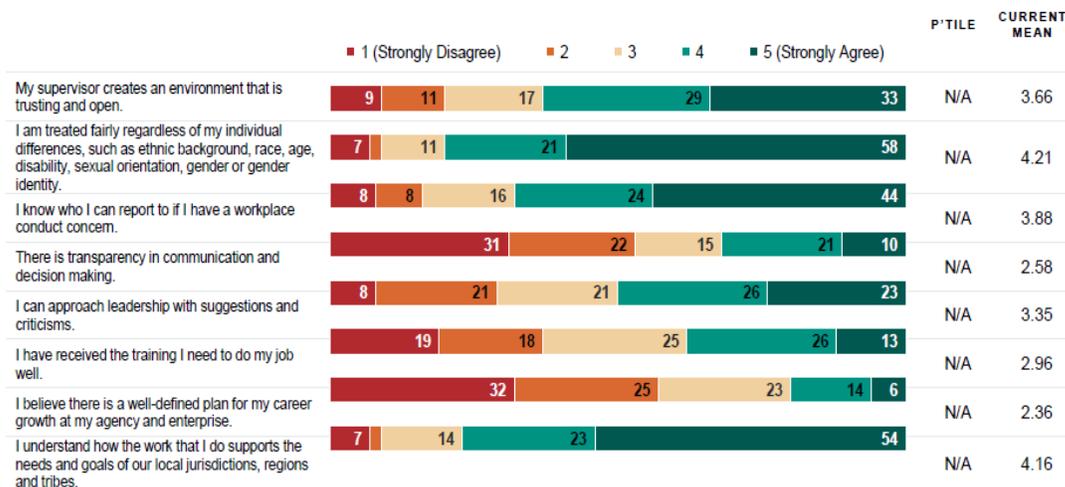


Note: Percentiles based on Workgroup Level_Custom Industry - Government - Local (City/County/State); Due to rounding, percentages may sum to 100% +/-1%; Numerical values shown when 5% or higher.

The additional eight questions developed by ODEM were as follows with further breakout of the scoring, which is not compared to other similarly situated agencies due to the agency-specific nature of the questions asked:

1. My supervisor creates an environment that is trusting and open.
2. I am treated fairly, regardless of my individual differences, such as ethnic background, race, age, disability, sexual orientation, gender or gender identity.
3. I know who I can report to if I have a workplace conduct concern.
4. There is transparency in communication and decision-making.
5. I can approach leadership with suggestions and criticisms.
6. I have received the training I need to do my job well.
7. I believe there is a well-defined plan for my career growth at my agency and enterprise.
8. I understand how the work that I do supports the needs and goals of our local jurisdictions, regions and tribes.

Figure 2: ODEM responses to agency-specific questions.



Once again, questions regarding the mission of the agency, as listed in question 8, scored well, as did question 2 regarding fair treatment where 79 respondents reported positive numbers. However, even a comparatively small percentage of disagreement to questions such as 1-3 is cause for concern, as this indicates individuals believe they are not treated fairly, individuals cannot trust their leadership and individuals do not know to whom they can report a concern. Clarifying the policy regarding equity and the reporting mechanisms available to employees with concerns must be a top priority for the leadership team and is included within ODEM's forthcoming DEI plan. A key component of ODEM's strategy for cultural change involves a robust DEI training curriculum, beginning with onboarding, to ensure that its culture of equity, diversity and inclusion is infused throughout the agency. The agency is also developing a plan to convene a new Diversity Advisory Council to help guide these efforts going forward. When employees leave the agency, a new policy also includes conducting an exit interview with a trusted member of the team to ensure that issues involving problematic workplace culture that may play a role in employee turnover are not going unnoticed.

There were two free text sections for employees to provide unfiltered comments responding to the following:

- 1) Please list any obstacles that prevent you from knowing what is expected of you at work.
- 2) What advice would you give the Director to be more effective and/or have a greater impact?

Because the survey was anonymous and not subject to Gallup's data analysis tools, the assessment team, with the help of Gallup and ODEM IDEA Coordinator, conducted a rigorous textual analysis to identify the occurrence of key themes in free-text responses to the questions asked. The analysis revealed 10 interrelated key themes that frequently arose in responses to the two questions above. A summary of the 10 themes is as follows:

1. **Internal Communication and Engagement:** Desire for more clarity and open, transparent, and regular dialogue and communication with staff. Many expressed a greater desire to feel heard and empowered to contribute ideas and drive projects forward. Example: *"Staff feels left in the dark about projects and agency plans. We need open and constant dialogue to stay engaged and aligned. It feels like I am playing a board game where I have most of the pieces, some of the rules, and no one ever explained the end goal."*
2. **External Engagement and Relationship Building:** Rebuilding relationships with local jurisdictions, tribal partners and other state agencies to grow the department's strengths as a partner. Example: *"There are a lot of relationships that need to be rebuilt with local partners and state agencies before we can come to the table as a true partner and build a legacy as an agency in the pursuit of excellence."*
3. **Transparency and Accountability:** Desire for more transparency in agency goals, actions, and results and the need for more accountability. Example: *"We need greater transparency in how the agency sets goals and assesses results. Accountability is vital for improving our work."*
4. **Managerial Issues (Leadership):** Grievances regarding managers' behavior, biases and prejudices, favoritism and the need for more manager sensitivity training. Soft skills development for managers was seen as essential to maintaining morale, focus and productivity. Managers were also encouraged to set aside time for new employees to better understand employee needs, capacities, and workloads and to reduce abrupt changes to goals. Example: *"Some managers have displayed prejudiced behavior and resist coaching. We urgently need training and changes in management to create a more inclusive environment."*

5. **Leadership Transition and Communication:** Comments expressing concern over the leadership change and the need for improved communication and transparency. Example: *“The leadership changeover was abrupt, and it left many of us feeling disconnected. We need better communication to understand the direction of the agency.”*
6. **Technology, Data Systems and Process Improvement:** Concerns about the need for better tools, software, and streamlined processes and procedures to reduce repetitive work. Example: *“We waste too much time on manual data gathering. Implementing data systems and automation would greatly improve our efficiency.”*
7. **Collaboration and Section Integration:** The responsibility to reach out to colleagues and better understand others’ roles was largely placed on the employees themselves. Suggestions included increased collaboration and agency-wide clarity on section responsibilities. Example: *“Sections work in silos, making collaboration difficult. We should standardize work processes and integrate our efforts for greater effectiveness.”*
8. **Workplace Culture, Equity, Diversity and Inclusion:** Concerns about workplace culture, toxicity including issues like sexism, and the need for more equity, diversity and inclusion in the office. Example: *“Sexism and disrespectful behavior persist in the workplace. We must prioritize diversity and kindness to build a healthier culture.”*
9. **Agency Growth, Mission and Structure:** Concerns regarding agency growth, clarity of mission and goals, and organizational structure. While the agency's mission was a strength overall, many expressed a desire for more thoughtful internal growth and expansion so as not to lose sight of the mission. Example: *“As the agency grows, we lack a clear vision and structure. We need a well-defined strategy for our future growth and development.”*
10. **Personnel - Employee Onboarding, Development and Training:** Comments expressed concern about onboarding, professional development and employee training, with a desire for more well-developed curriculum. Example: *“New employees lack a comprehensive orientation. We should provide structured onboarding and invest in professional development for our staff.”*

The frequency of the themes in survey responses is shown in Figures 3 and 4 below. A visual representation of their intersections is given in Figure 5.

Figure 3. Please list any obstacles that prevent you from knowing what is expected of you at work.

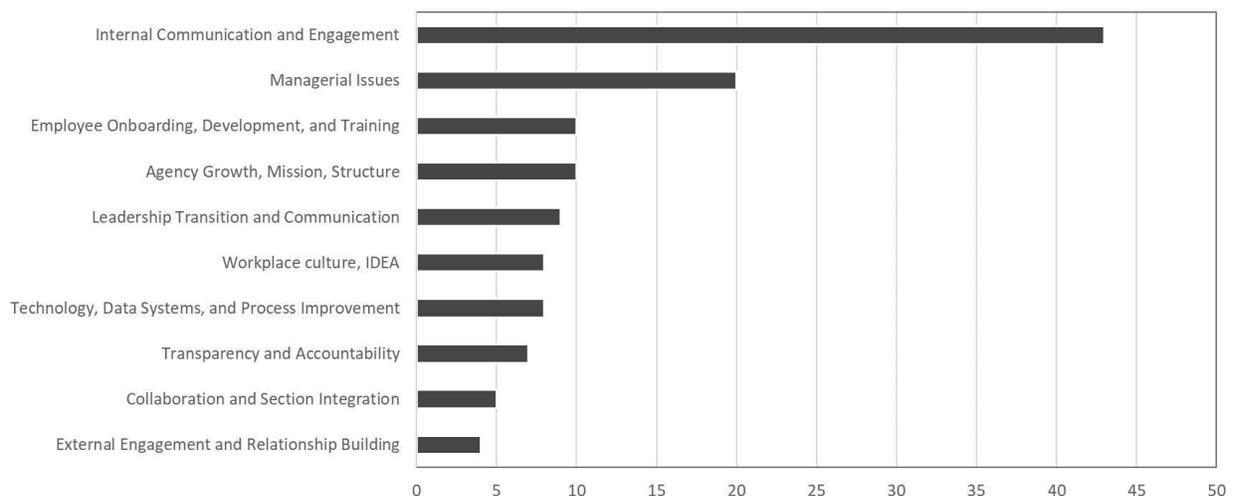


Figure 4. What advice would you give the director to be more effective and/or have a greater impact?

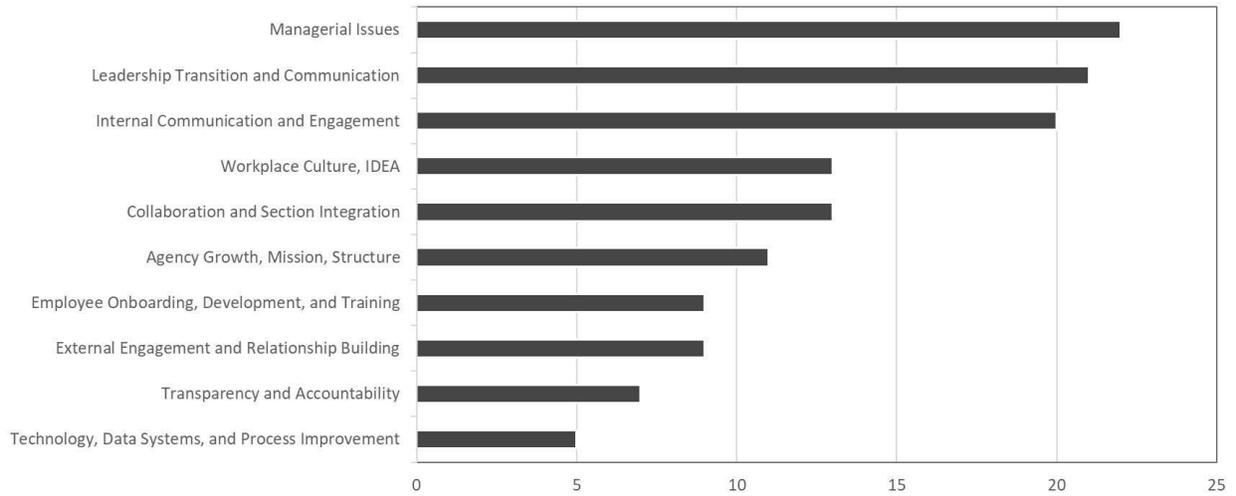
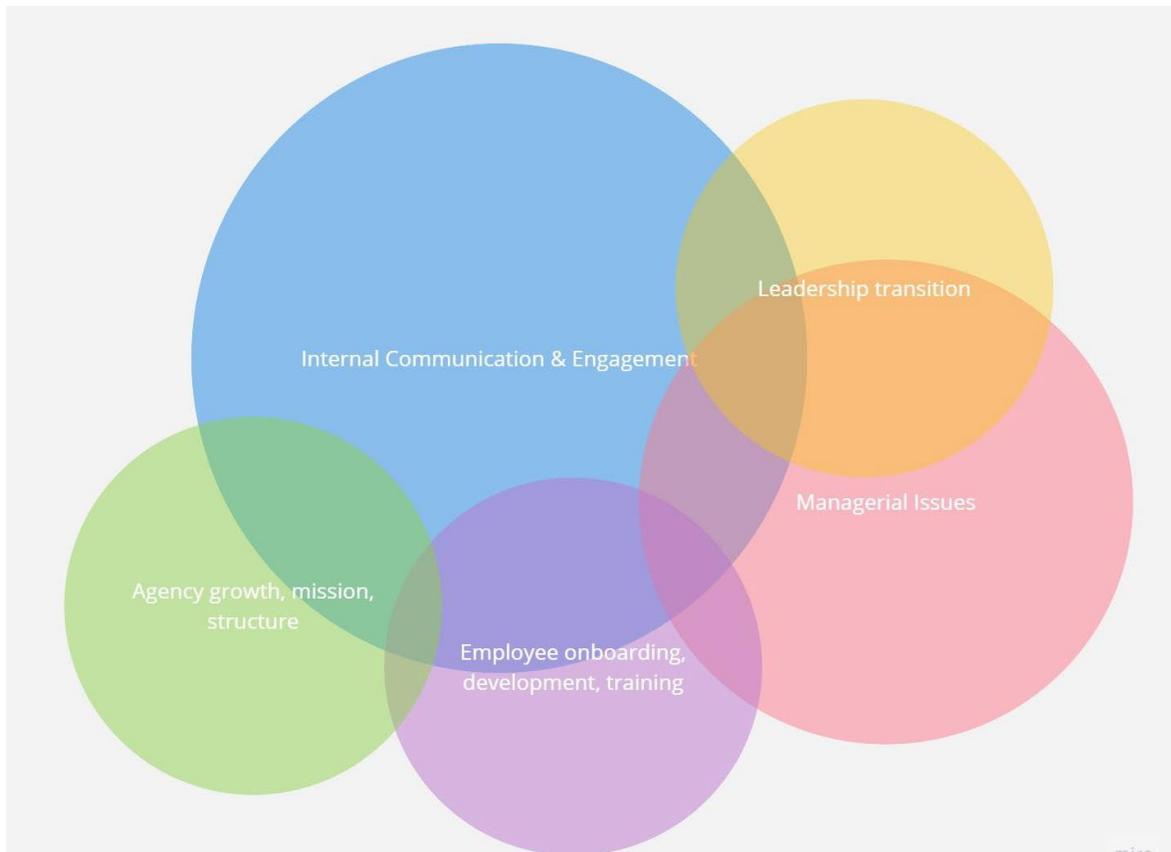


Figure 5. Venn diagram showing the interrelationships between the top five key themes arising in response to the question “Please list any obstacles that prevent you from knowing what is expected of you at work.”



The Gallup team provided four recommendations to address issues raised in the climate survey.

- Connect survey items with performance goals in team-based goal setting. These combinations can result in strong improvements in both engagement and performance metrics over the next year.
- Ensure leaders participate in a “State of the Team” conversation and share their plans to impact engagement at all organizational levels.
- Implement a model of “Engagement Team Conversations” where the team discusses elements of engagement that impact performance, the builders and breakers of those elements, and the actions the team could start, stop, and continue doing to drive engagement and performance.
- Create a team of “Engagement Champions” to serve as resources to teams and keep the integration of engagement into the culture of the organization.

In addition to the above, ODEM will repeat this engagement survey in a year to see if the adjustments made to the organization will be reflected in the next appraisal.

The leadership team also met individually with members of ODEM as well as in group settings to receive direct feedback regarding ODEM’s organizational health. The information provided by the survey validated key issues raised through these engagement opportunities, namely, that personnel were feeling overworked due to a lack of personnel resourcing, personnel lacked trust in their leaders at the middle and senior management level, and personnel were not satisfied with the level of feedback provided regarding their work performance. There was a consensus that the organization had been primarily managed by a select group of individuals who failed to focus on the needs of their employees based on the stress under which they were operating. The termination of the prior leadership team created an additional level of stress, as it was not clearly explained to the employees at ODEM, which caused employees to question their future with the department.

B. Resources

The creation of ODEM as a standalone agency did not include human resource personnel. This oversight has directly impacted ODEM in four areas: 1) Position development and hiring; 2) Employee personnel support; 3) Personnel policy development; and 4) Training and onboarding. The last two issues are rolled into two separate lines of effort of Training and Leadership and Business Plans and Procedure, to which the lack of HR plays an additional impacting role.

- 1) Position Development and Hiring. Despite the willingness of the state to provide additional state funding to support ODEM resourcing, a review of the staffing for ODEM revealed a lack of deliberate planning regarding the needs of ODEM as a standalone department of the state. Organizational growth over the past five years was largely conducted in response to crisis and was durational. Further, personnel planning demonstrated a reliance on federal grant funding. No workforce assessment to evaluate the daily operational needs of the state and requirement for additional state funds has been conducted, therefore, those sections that had the capacity for federal funding received priority over state priorities.

Sections that are critical to the operations of a standalone state department such as accounting, finance, public affairs, record management, information technology and information, to name a few, were left unresourced and management positions were not provided with team leads to assist them in the management of their sections. Discussions with managers and team members established that many employees were working outside their position descriptions to support operational needs and in some cases were performing tasks outside their skill set.

Additionally, many of the federally funded positions were designed by ODEM in a way that restricted their ability to support other functions across ODEM.⁶ While adding limited duration positions to surge in response to federally declared disasters is a standard approach, care in how these positions are established and supported can result in a more resilient workforce benefitting the state in the long run. As currently designed federal and state funding to support emergency management operations across the state are not being maximized a more thoughtful strategic approach to state emergency management is warranted. A complete organizational development and workforce study for ODEM is necessary to document the workload and provide recommendations for the realignment of resources and personnel to maximize organizational efficiencies.

As was noted earlier, the original HB 2927 (2021) recommended the creation of 14 additional positions within OEM to support ODEM as a standalone agency. During the 2023 Legislative Session, 48 additional positions were added to support the grant program expansion and to address FEMA oversight concerns. Despite this increase in additional authorizations, only 14 positions were hired between February and September 2023. To ensure a manageable workload for staff, it is necessary to complete the hiring actions originally approved for the agency. The vacancies were attributed to an absence of internal HR support within ODEM and a lack of leadership prioritization. Hiring these positions became an immediate top priority for the new director and multiple sessions with DAS HR were conducted to advocate for the development and posting of approved positions.

After the first 30 days, a preliminary organization chart was approved and submitted with positions to a DAS human resources officer for validation, class compensation review, pay equity and establishment. The intent was to quickly establish positions to build additional capacity within the teams. The lack of dedicated HR within ODEM resulted in additional delays in the formal establishment of these positions. Despite DAS assigning an HR specialist to support ODEM “exclusively” from October 2023 to January 2024 and being granted expedited review assistance from DAS Class Compensation, this process continued to lag for the first three months of effort, with only three positions posted by the end of November 2023.

- 2) Employee Personnel Support. Although DAS assigned one HR representative to work with ODEM for three-months, this assignment was temporary. The executive team is requesting additional dedicated ODEM HR resources. Having a full-time HR team that focuses on the needs of ODEM staff will encourage early communication between HR and staff and relieve the stress on managers and the executive staff to resolve human resourcing issues. An example of this involved issues surrounding employee access to a state leave program.⁷ Employees technically eligible for the program were unable to access their benefits due to payroll and accounting issues. The issue took three months and the attention of DAS HR, the CFO, the directors of ODEM and the Oregon Employment Department, and a special assistant to solve. With a full-time HR staff, this type of issue could be identified earlier with opportune education and communication avoiding these last-minute challenges that require escalation.

⁶ For example, a position designed to support federal mitigation grants was allocated 100% to federal mitigation dollars in lieu of a 75/25 split that would have allowed for interagency coordination.

⁷ Oregon Paid Leave <https://paidleave.oregon.gov/>

Additionally, an HR team can support issues raised by the management staff to help de-escalate conflict based on their skill and expertise. Finally, a full-time HR staff can work with the management team to adjust work schedules to accommodate employees and the agency's mission, identify training opportunities to enhance or expand expertise, and provide education to employees about their benefits.

Currently, ODEM includes both 72 represented and 29 non-represented employees. Represented employees are covered by the American Federation of State, Country and Municipal Employees (AFSCME). The assessment team learned that the relationship between management and AFSCME became strained during the initial collective bargaining discussions that occurred in 2023. There was no regularly scheduled engagement between AFSCME and the leadership staff other than the agreed-upon allotment of 10-15 minutes during ODEM quarterly employee "all hands" events. A review of complaints filed since the 2022 transition revealed 28 complaints since ODEM became a standalone agency; the largest category was filed under the Maintaining a Professional Workplace policy. Other categories included Ethics, Retaliation, Performance and Behavior. Many of these categories overlap in each complaint; for example, one complaint alleges retaliation but also alleges unprofessional workplace behavior.

One such grievance filed in October 2023 and then rescinded shortly thereafter charged that the agency had failed to implement a proper onboarding plan. In fact, ODEM lacked an organizational onboarding plan. This concern was echoed by many employees through the Gallup climate survey that provided an opportunity for all ODEM employees to provide unanimous feedback and is discussed in more detail below. It was also evident in one-on-one discussions with staff who expressed uncertainty regarding where they fit within the organization, *"No idea where my work fits into the agency's strategic goals - need direction."* Several expressed challenges coordinating with other sections and confusion regarding their role, with one employee citing, *"Overlapping duties of other employees + lack of communication."* Another employee stated, *"There seems to be absolutely no training program for new hires. I started a position here within xxx and I still don't know or haven't seen/been told what my actual job duties are."*

Prior to the survey results and grievance filing, the director only coincidentally realized there was no onboarding plan in place when new hires began to arrive. At that time, onboarding was handled individually by the section managers who also made the hiring selection and negotiated the start date without input from leadership. Historically all hiring decisions were made by the ODEM leadership. However, once the new leadership team came in due to the lack of established policy and lack of dedicated HR resources there was no guidance to dictate the hiring process.

A decision was immediately made to elevate final hiring decisions to the executive leadership team, consolidate onboarding events, develop a list of required information and equipment, and create an ODEM 101 that facilitates employee understanding of how ODEM operates. The first such training is scheduled for January 2024 and is open to all employees. How ODEM operates contributes to the reputation of ODEM and efforts to improve customer service will start on day one with onboarding.

Line of Effort #2: Training and Leadership

Training focuses on the opportunities within the organization for professional growth in both an individual's career field and cross-level opportunities within the organization. The assessment team made four findings in this area.

- 1) ODEM does not have a consistent hiring process or professional development program for managers to ensure they have training or experience in management and leadership before assuming a leadership role.
- 2) Appointment of team leaders without commensurate leader training is adversely impacting their ability to successfully perform at their assigned level.
- 3) The federal training requirements are onerous as applied across ODEM.
- 4) The EDO/SDO program needs to be replaced.

A. Leadership

The assessment looked at how future ODEM leaders were identified and trained to assume their responsibilities of managing and leading teams. The challenge with working in the emergency management field is that to lead a team through crisis managers must be both exceptional in their field and have the knowledge, training, and experience to effectively lead a team. Many organizations will seek out expertise and then grow leaders within this expertise others will select leaders and then train in knowledge. ODEM practiced a centralized management model where all key decisions and planning were conducted at the director and deputy director levels and therefore, they chose leaders who were experts and withheld all management decisions to their level.

Train your managers to LISTEN to their staff, trust their SMEs and not to micro-manage every single detail of every single project. This comes across as lack of trust."

Centralized management can be effective in small organizations where speed is not imperative, but it is ineffective in larger organizations, particularly ones that are processing and managing emergent situations across the state as is the case with ODEM. The larger ODEM grew to respond to emergencies the more limited in capability and the less responsive they became. As will be discussed later, there were no established information-sharing procedures or data tools in place to assist managers in streamlining communications, and eventually, ODEM managers narrowed their focus to those matters they could reasonably control within their silos. When the new leadership team came in and began assessing these teams it became apparent that the current team was not used to collaboration, integration, decision-making or team building. Many of the managers across the organization were new to ODEM leadership positions. Their backgrounds were varied – some were trained within other state or local agencies, some of which were involved in emergency management, and others had no emergency management background at all. Few members of the management team reported receiving specific leadership training or mentorship.

This lack of training and experience is felt by the members of the teams they lead who reported concerns over expectations, communication and trust in leadership. This level of input indicates that leadership challenges may exist across the managerial level.⁸

B. Leaders Need to Lead

In line with the targeted training curriculum indicated above, several findings indicated the specific need for leadership and team management skill building. Some employees were unclear regarding work expectations, contributing to a general lack of understanding of their position and responsibilities.

“There is an extreme lack of communication from my manager regarding expectations, including a lack of clear delineation of roles and responsibilities and incredibly limited constructive feedback (if any) on my performance - and aligns or misaligns with their expectations for me and in my role.”

Quotes like this one demonstrate the impacts of simple leadership actions like identifying team leads to share and assume responsibilities not having been historically encouraged. When managers went on leave or left for travel, for example, they either took their work with them or placed a different manager in charge of their section in doing so creates additional burden on the managers which sends a poor message to their employees. Emergency management is stressful, and employees need the opportunity to take time for themselves, friends and family so they can recharge to support this mission. The ability to take this time is demonstrated by leaders.

“If an emergency event transpires in which I am re-tasked from my standard day-to-day work activities and the skillset I was hired to perform to emergency management roles and responsibilities, I would have no understanding of the expectations roles or responsibilities I would be directed to fill.”

Additionally, lack of delegation deprives managers of an opportunity to demonstrate their trust in members of their assigned team. This lack of trust was felt by members of their staff with one respondent commenting, *“Train your managers to LISTEN to their staff, trust their SMEs & not to micro-manage every single detail of every single project. This comes across as a lack of trust.”* Each manager should have at least one team leader who can support them in managing tasks. Managers must learn to delegate responsibilities and exercise trust to empower their teams to perform. Finally, as managers they have to stop serving as action officers; instead, they need to oversee the work that is being performed, assign work across their teams, establish working groups to facilitate collaboration with other teams, review work for completeness and focus on collaboration across the organization.

⁸ It should be noted that several managers requested additional mentorship and counseling. However, few were able to commit to long-term leadership training such as the ASCENT Transformational Leadership Program (TLP) , a rigorous and intensive multi-month leadership development experience held annually to teach participants how to become more aware and develop skills to transform workplaces by focusing persistently on outcomes that matter most, despite increased complexity and change, to create the desired new future.

C. Federal Training

To expand the capacity for ODEM to provide support during a natural disaster or emergency, it became a policy that all employees assigned to ODEM required annual FEMA training at the 100, 200, 700 and BAPS/PDS levels without regard for assigned functions or responsibilities. This is not a federal requirement of state agencies, but rather an ODEM requirement based on the historical structure of ODEM's response procedures, which rely on the Executive Duty Officer/Staff Duty Officer (EDO/SDO)⁹ program to provide additional capacity to maintain situational awareness beyond the standard duty day. It should be noted that the EDO/SDO program is the only recognized cross-training in ODEM.

The federal training in addition to the assigned workload of ODEM leaves many employees either behind in the performance of their assigned work or behind in their federal training requirements. The mandatory training as designed was objected to in the survey and by many of the employees interviewed.

“Required FEMA training attempts to teach a new skillset, vocabulary, methodology, and acronyms that are not a part of my normal day-to-day work requirements/expectations. Other than cramming knowledge to complete the required training, this knowledge and skillset has never been used in the 11 months I have been with ODEM. If an emergency event transpires in which I am re-tasked from my standard day-to-day work activities and the skillset I was hired to perform to emergency management roles and responsibilities, I would have no understanding of the expectations roles or responsibilities I would be directed to fill.”

The EDO/SDO and federal training mandate needs to be reevaluated with consideration of the expanded growth within ODEM and an analysis of the actual requirements for employee training for ODEM to support its assigned agency mission and requisite federal obligations. Employees must continue to receive some level of federal training to enable them to support ODEM during a disaster, but it needs to be conducted with the desire to build redundancy and capacity across all sections of ODEM not just the ECC. Reorganization of the response function with more enhanced involvement of the ODEM regional coordinators and the realignment of OERS ¹⁰in October 2024 removes the need for a duplicative response model (i.e. EDO/SDO).

⁹ Pursuant to the ODEM EOP Section 5.3.2, if ODEM's Executive Duty Officer (EDO) is notified of an event by the Oregon Emergency Response System (OERS), they may begin monitoring the incident or assign an OEM Staff Duty Officer (SDO) to maintain situational awareness. Should the situation escalate, or require assistance from several state agencies, or more than one county or tribe has been impacted by the event, the State ECC may be activated at the direction of ODEM's EDO.

¹⁰ The Oregon Emergency Response system (OERS) coordinates and manages state resources in response to natural and technological emergencies and civil unrest involving multi-jurisdictional cooperation between all levels of government and the private sector. OERS is the primary point of contact by which any public agency provides the state notification of an emergency or disaster, or requests access to state or federal resources. OERS was established in 1972 by the governor of Oregon to improve communications and coordination between government agencies responding to hazardous materials incidents across the state. Since that time, OERS has become an "all-hazards" system, responding to other types of emergencies including floods, wildfire, earthquakes, and search and rescue missions. OERS operates under [Oregon Revised Statutes \(ORS\) 401](#), Executive Order of the Governor and [Oregon Administrative Rules Chapter 104, Division 40](#).

Line of Effort #3: Business Plans and Procedures

Business plans and procedures focus on the policies, plans and procedures ODEM has put in place to support the operation of ODEM as a standalone agency. In addition to feedback provided both through the survey and one-on-one engagement, the assessment team requested external assistance in evaluating the financial records. The assessment team found three findings in this area:

- 1) ODEM does not have existing or updated plans and procedures reflective of its new position as a standalone state agency.
- 2) ODEM managers develop their own internal guidance for data and task management.
- 3) ODEM does not have standardized processes for developing and coordinating work internal and external to the agency.

One of the first challenges for the new leadership team was the lack of updated business plans and procedures, as well as a formal document management structure or policy. Most organizational policies predated the organization's move in 2022 to a standalone office. As such, the systems and policies in place were not an accurate guide as to how the organization operates, resulting in a lack of sufficient internal controls. The impact of this absence of internal controls is a lack of standard understanding of applicable rules and procedures and inconsistent application of policies, both of which negatively impact the employees at ODEM and the local agencies that serve as grant subrecipients. Grant subrecipients are required to present documentation or proof of "in-kind" work for reimbursement of expenses under their grants. Interviews with a variety of entities, both state and local, indicated a shared frustration with the inconsistent application of rules, policies and guidance related to grants. Additionally, the lack of internal controls has resulted in inaccurate tracking and reporting of data. Without clear expectations of reporting requirements, contract administration and workforce priorities, each section operates separately using a siloed approach that limits collaboration, resulting in both redundant work and gaps in programs. When everyone is doing everything, no one is doing anything.

The ODEM preparedness section demonstrated operational effectiveness in its ability to organize and prioritize work using a shared drive and MS Teams. Business rules for the use of these products resulted in carefully tracked and managed work. Unfortunately, these tools were not integrated across the organization and access to other sections was limited. Additionally, there was not a clear continuity plan for how these sections would operate when the manager of the team was absent. Without documented processes, the operation lacks resiliency.

The Gallup survey also revealed a knowledge gap when it comes to understanding what is expected of ODEM employees. As was noted previously, one of the lowest-scoring responses was in response to the statement, "I know what is expected of me at work." Exactly 43% of the responses were either negative or neutral, which represented the fourth percentile of similarly situated local government agencies. One survey response noted, *"The organization at times lacks well-written policies, procedures and SOGs that are organized and standardized. There are times when managers base their decisions or guidance on personal beliefs, opinions or feelings rather than actual policy/SOG/law, etc., or best practices."* Expectations and requirements when defined in policies and procedures and communicated by leadership can improve organizational understanding of expectations.

There are times when managers base their decisions or guidance on personal beliefs, opinions or feelings rather than actual policy/SOG/Law etc. or best practices.

A review of all DAS policies must be conducted and new updated policies under ODEM, in consultation with the Union under the CBA, must be conducted. A framework is being developed to establish a policy review committee, which needs to be fully implemented. Policies and procedures may fall into several categories: Human resources and employment, budget and finance, technology and data, and executive services. A point of contact (POC) from each area must be identified to lead the review in their section and propose policies or procedures to establish organizational internal controls.

ODEM must further include policies for task management and agency internal and external coordination. Matters that require external coordination must also include a process for adjudication to demonstrate a review of feedback provided by external partners. This coordinated approach will create more transparency in the policy development process and better support external communication, which is addressed more specifically later in the assessment.

Line of Effort #4: Data Systems Management

Data system management is a broad category intended to encompass all data tools used in the development and recording of data within ODEM. Data management concerns were largely articulated by the ODEM staff who recognized a lack of updated and standardized tools across the organization. External offices at the state level expressed a desire for ODEM to develop coordination tools that could collaborate with their existing data systems so information could be more easily shared, improving the overall common operating picture. Local emergency managers were frustrated with the archaic crisis response management tool provided by ODEM and the lack of transparency in the grant management process. The assessment team made seven findings in this section.

- 1) ODEM does not have an updated information technology plan, policies or procedures.
- 2) The lack of a CIO trained to assess data management systems allowed ODEM to fall behind state and local entities, making integration more challenging and in some cases, impossible.
- 3) ODEM does not have a robust IT department or defined and trained management.
- 4) ODEM's crisis management tool is archaic, inefficient and requires replacement.
- 5) ODEM's lack of a record management system subjects ODEM to potential liability.
- 6) ODEM lacks a standardized and transparent grant management tool.
- 7) The ability of ODEM to provide remote data access is essential to emergency management.

A. Information Technology Management

IT in the emergency management field is extremely important as information drives the equitable delivery of resources and assists in developing an accurate common operating picture by which leaders make decisions. Without reliable, accessible data management systems, emergency responses can fail. Unfortunately, ODEM did not prioritize the significance of IT when becoming a standalone agency. The assessment team noted that along with a lack of updated policies was a lack of updated data management systems. Most data systems were antiquated and were not cloud-based, making them vulnerable to data outages and inaccessibility during a national disaster or emergency.

When ODEM stood up as a standalone department, it did not migrate a task management tool to assist in the management of information processed through ODEM, nor did it establish a record management system responsive to public information requests or serve as a historical archive for future planning or events.

The survey highlighted the concerns regarding IT across ODEM with 45% providing a negative or neutral response to the comment, *“I have the materials and equipment I need to do my work right.”* Citing this as an obstacle, one person commented, *“As we develop as a standalone department, serious investment into critical technical infrastructure needs to be considered to offset persistent gaps in communication and awareness.”*

B. ODEM Chief Information Officer (CIO)

ODEM lacks a trained CIO tasked with developing and overseeing a comprehensive, agency-wide IT strategic plan, prioritizing and overseeing data management projects and ensuring ODEM IT can meet the requirements to support the delivery of information to emergency management decision-makers during incidents. A review of historical documents found that while ODEM was given a chief information officer position as part of the transition, the position was repurposed within the organization and the role of the CIO was assumed as an additional duty for the deputy director.¹¹

To address data system shortfalls, the director requested the assistance of DAS EIS to review ODEM's existing data systems and identify IT investments necessary for emergency response and disaster management. DAS EIS noted the lack of a flexible and secure crisis management system, task management tools and a record management system. Further, it noted the inherent risk and costs of the agency's IT infrastructure when it is located on premises instead of in a centralized state-owned or state-operated data center. DAS EIS determined that the migration of data to a data center can *“result in numerous benefits, including improved security, cost savings, better resource utilization, enhanced scalability, and most importantly resiliency as it is the hub for city, county and state connections.”* DAS EIS identified requirements along the original 90-day lines of effort and will serve as an excellent lead into ODEM's IT strategy that's due at the end of 2023.

C. ODEM's Crisis Management Tool

All state emergencies are tracked and monitored by ODEM through a portal known as OpsCenter. OpsCenter emergency management software is used to gather, analyze and distribute information in the State EOC. ODEM provides technical support for the OpsCenter software, which was shared with local emergency management agencies across the state. Oregon purchased the OpsCenter Crisis Management Application in 2005 to have a common platform for gathering critical data during events.

The OpsCenter application was used during the December 2007 floods to track requests for state resources and incident data. Changes were made following those events to further refine reporting and tracking actions to get to the required critical data in OpsCenter. The software was initially maintained by Alert Technologies and funded through a FEMA Homeland Security Grant in the early 2000s but was later purchased outright by ODEM and is no longer managed by a data developer.

Onsite interviews with state partners and local emergency managers almost unanimously argued that OpsCenter was challenging to navigate and many either refused to use the database and instead paid

¹¹ The director established a separate CIO position in November 2023

for their own crisis management software or contacted ODEM directly via phone or email to report information that would have otherwise been included in OpsCenter¹².

Discussions with DAS EIS revealed this database was not cloud-based but instead resided locally within servers at ODEM headquarters making it especially vulnerable and unreliable during a power outage or catastrophic disaster, which would adversely impact ODEM’s ability to perform its emergency management mission.

In addition to its archaic visual display, the system is not capable of integrating into other agency systems. To access the portal, members must be approved and provided with a separate login which, in some circumstances, has become cumbersome and led to delays. Additionally, there is no clear guidance on when to make an OpsCenter request short of an emergency declaration, which has resulted in gaps in information regarding available resources across the state. An interactive crisis management tool that integrates ArcGIS and is accessible across multiple agencies will provide a common operating picture that will allow ODEM to not only coordinate emergency support when requests are made but anticipate requests based on a developing threat picture. ODEM is seeking legislative funding to develop a replacement strategy for OpsCenter that is informed by emergency managers across Oregon emergency management enterprise.

D. Record Management

Oregon’s Public Record Law (ORS 192) requires agencies to maintain and make available public records. Under Oregon Administrative Regulations¹³, each state agency is required to have a system to create, store, organize, retrieve, and dispose of records and documents in a systematic and compliant manner. To manage the record system, each agency is required to designate a records officer to organize and coordinate the agency’s record management program and serve as the primary liaison with the state. While a review of position descriptions located a “records retention officer” as an additional duty to be performed by the director’s executive assistant, that position has not historically performed this function, nor have they been trained by the state archivist as required under the administrative rules.¹⁴ Additionally, the public affairs office has been assigned to respond to requests for public information and has complied without the oversight of an appropriate records officer.

A records management system serves an additional purpose for the organization to improve workflow automation by serving as a task management tool to support document approval workflows, routing documents for review and automating tasks related to document processing. A task management

¹² The one exception to this was DEQ, which had fully embraced the OpsCenter program and used it as its system of record for tracking resource requirements and requests for information as part of its crisis planning.

¹³ OAR 166-150-0100: Emergency Management Records (note the OAR has not been updated to reflect ODEM as a standalone agency so its administrative rules still fall under the Oregon Military Department).

¹⁴ OAR 166-030-0016: Appointment of Records Officer: To establish a records management program that ensures the orderly retention and disposition of all public records, and to ensure the preservation of public records of value, each state or local agency shall designate a Records Officer. Records Officers organize and coordinate the agency’s Records Management Program and serve as their agency’s primary liaison with the state. Typical duties include planning, controlling, directing, organizing, training, promoting the program, and other activities involving the life cycle of information including records scheduling, retirement, storage and destruction.

system, when properly utilized, can ensure the timely and coordinated review and completion of actions essential to the mission of ODEM. Without this capability, the workload at ODEM has become individually managed and tracked, making each data developer a single point of failure. There is no mechanism to locate the current action officer on a given item. There is no standard use of data systems to track, manage and archive workflow. In each section, the record system used is the preference of the manager or section lead. This system lacks transparency and consistency, making it impossible to provide proper oversight of the work product. Given these shortfalls, it's no surprise that external entities frequently refer to ODEM as the "black hole" when describing the responsiveness of ODEM to various programs and queries, particularly in the areas of fiscal and grant management. The establishment of a business services director is justified to oversee the development of these internal processes to make program improvements.

E. Grant Management tool

As was noted above, ODEM is perceived as a black hole for grant management, particularly in the approval of grant applications and the reimbursement for expenses under awarded grants. External entities at both the state and local levels frequently commented that ODEM was behind in its review of submitted applications or requests for reimbursement. Additionally, complaints regarding the documentation requirement for grant reimbursement were common. ODEM has begun the process of improving its grant management through the Grants Management Modernization Project (GMMP). The GMMP intends to initially incorporate both mitigation and public assistance grants into an accessible portal that can be used by applicants to apply for, track and manage the grant. Funding for this program has been provided and the initial RFP is in development. Key to any new grant management tool will be the testing of the tool by a wide user group that includes rural and urban emergency managers, as well as common state applicants and non-profit agencies.

Once developed, the concept is intended to be expanded across all grants serviced by ODEM. A transparent and traceable tool is exactly what agencies are requesting and, if established properly, will reduce the administrative burden on both applicants and ODEM, enabling the agency to perform more effectively and efficiently.

F. Remote communication

As the agency considers the necessity of updating IT capabilities, it's important that ODEM also recognizes the value that providing remote work options offers the emergency response enterprise, both in capacity and diversity. The ability for all employees to have a shared common operating picture while operating in a remote environment will strengthen the resiliency of the state emergency response program, enabling more capacity despite what historically localized emergencies have been. Further, as Oregon prepares for a possible Cascadia Subduction Zone event, the capacity to bring in all this remote capability will be essential to operational success. As such, it is necessary that ODEM transition to a web-based, synchronized capability to reduce vulnerabilities in emergency management.

Line of Effort #5: Internal and External Communications

Internal and external communications focus on the way members share information within the organization and with external stakeholders. In addition to feedback provided both through the survey and one-on-one engagement, the leadership team witnessed how members of the management team communicated with one another.

The leadership team further conducted a review of the schedule of meetings both at the senior and management levels. The assessment team found seven findings in this area:

- 1) ODEM does not have protocols to cross-level information across the whole staff.
- 2) ODEM's alignment with different federal funds has created a siloed organization that does not engage in shared and effective internal communications.
- 3) ODEM does not have an established cadence of coordination on Homeland Security matters.
- 4) ODEM's current comprehensive emergency management plan (and components within) does not embody the Governor's vision of delivering excellent customer service.
- 5) ODEM does not have an established process to coordinate the development of policies and guidance external to ODEM and lacks the staff to oversee and track the administrative rules (OAR) process.
- 6) The regional coordinator program is not organized with a clear mission and authority to successfully support their role as regional coordinators.
- 7) The ODEM tribal liaison position does not have a clear mission and authority to successfully support the nine federally recognized tribes across Oregon.

“Develop a culture where our workforce asks, who else should I be collaborating with on this work and follows through with collaboration.”

There were 43 occurrences of issues with internal and external communications raised by participants in the 2023 survey. It was commonly reported that information was not transparently shared with the whole staff, who often felt left in the dark and not a partner at ODEM.

One respondent recommended that leaders, *“Communicate with staff BEFORE sharing info outside of the office. I learn more about what goes on at ODEM by participating in the monthly LEMU calls than I do from internal agency communication.”* Historically, the office conducted *“all staff”* meetings once a quarter, yet despite the infrequency of the staff events, they were limited to only an hour, were not coordinated to ensure appropriate delivery, and frequently served to read information to the team instead of encouraging questions and comments.

Every time leaders pull in the team to share information, they need to collectively decide why they need to pull the team together, collaborate on the message they want to send to the entire staff and provide a read-ahead before the meeting to encourage comments and questions. One surveyor stated, *“Focus on ways to build collaboration between the sections. As emergency management, the work we do in one section can have significant impacts on the work of other sections. Increase collaboration during all-staff meetings. Develop a culture where our workforce asks, who else should I be collaborating with on this work and follows through with collaboration.”*

A. Internal Coordination

The existing organization is aligned with the federal grants each section manages independently. This structure reinforced silos between sections within the agency and further influenced a culture of disconnect. Early meetings with the management team often included two themes – *‘that’s not my job,’* and *‘that’s not the way we do things.’* Managers were experts in their area but were quick to point out where their responsibilities ended. This is a clear product of the former centralized management style and operational stress experienced in some teams. They lacked the shared consciousness necessary to spot issues that would inform leadership to include the office of the Governor and elevate the capabilities of the office. While some team managers did demonstrate effective collaboration with each

other, there was no general alignment across teams. The gains made by some managers to share information are not duplicated at the planner and action officer level. Without the level of transparency necessary to align communication, actions and goals, the level below management is often left wondering why certain actions are taken and what the purpose is behind their work.

Limited flexibility in the management of federal funds further reinforced the perception that teams should spend time collaborating. The lack of agency-wide data management systems further complicated any attempt to collaborate, as teams were all operating on different platforms. This also made cross-training, a necessary component of organizational resilience, extremely limited. Internal meetings lacked clear organization and intent. Additionally, there was no discernible battle rhythm to establish a regular cadence for collaboration. Most meetings were siloed – even when members were in the same room, they were observed checking in and out of meetings based on the deliverables they sought to address. Often meetings at the management level would become contentious and frequently went overtime because there was simply too much information that needed to be shared due to lack of regular recurring opportunities for engagement or a centralized common operating platform.

B. External Coordination

External meetings occurred at both the executive, managerial and team leader levels. At the executive level, there is a cadence for coordination with DAS, the Governor’s office (via the Wildfire Cabinet) and open collaboration observed with all agency partners. There did appear to be an established cadence of coordination on Homeland Security matters. A recurring engagement with the DOJ and the TITAN Fusion Center will intensify lines of communication, ensuring adequate notice and planning capability to address threats within the state. Additionally, there are two new councils established under HB2927 (2001) to support or advise the ODEM director: the Local Government Emergency Management Advisory Council (LGMAC) and the Emergency Preparedness Advisory Council (EPAC). A review of these councils revealed a lack of specific goals and tasks to support statewide emergency management.

ODEM needs to review its response protocols to ensure they align with the Governor’s requirement to remain informed. With limited staff with historical knowledge, the agency has been struggling to provide emergent information proactively. Recent events identified gaps in the agency’s ability to share information within the agency, policy and coordination that prevented the timely distribution of information. The existing emergency operations plan, which is currently under review, must reflect the Governor’s need for information. This will require the ODEM response team to modify activation levels commensurate with her intent. Historically, while the regional team are continuously providing outreach and attending Tribal/Local meetings ahead of weather events and as soon as emergent issue occurred the ODEM response section waited to receive requests for assistance before providing support and there were no timelines associated with the coordination of that support. A revised plan needs to incorporate earlier involvement by the ODEM response team, status reports to keep the Governor and partners informed, and metrics on responsiveness. Consistent with its statutory mission, ODEM staff should be both receiving and pushing information to state and local partners. This will ensure that all parties are engaged.

ODEM does not have an established process to coordinate the development of policies and guidance external to the agency. Historically, engagement was done through informal coordination that may or may not have yielded consensus. Discussions with external agencies revealed ODEM was not responsive or supportive to edits, was not transparent with how it arrived at final solutions, and was not inclusive, particularly of the unique needs and requirements of the more rural communities. A coordination process that includes the adjudication of comments and, where relevant, the direct involvement of supporting councils should help to ensure guidance is coordinated and that decisions regarding the final product are fully vetted. Policy documenting this process is currently underway.

C. Regional Coordinators (RCs)

Established in 2020 for Preparedness & Response and 2021 for Mitigation & Recovery, Regional Coordinator positions were developed to facilitate the sharing of information between the local emergency management offices and ODEM. While the concept of a liaison position exists in other state agencies, the ODEM RC positions were not classified at the same level as partner agencies with similar regional programs (OREM, for example). The roles and responsibilities of these positions have not been formally established. When the RC position descriptions were being developed, a majority of the management team recommended to executive leadership that these positions be elevated to a management services classification with leading statewide coordination and communication responsibilities, including fulfilling the EDO role to better represent the agency. Executive leadership at the time chose not to implement the recommendations without stating why. As such, there is confusion regarding the vision and purpose behind these positions. A review of the functions they can perform as members of ODEM, as well as a survey of local emergency managers that the RCs work with, is currently underway. This survey and input from supporting RCs must be incorporated into policy documenting the roles and responsibilities of these positions. ODEM should consider the value of providing enhanced emergency management capability to support local emergency operations to include more flexible work schedules and broader authority to assist.

A review of the OEM survey, along with the input from the RC themselves, echoed concerns regarding layered communications, lack of coordination and lack of support. While these issues were not unique to the RCs, based on the level of comments received in the survey it is magnified at the RC level due to their limited access to leaders and the teams they support in their liaison role. Members articulated a need to have more direct access to the executive level to amplify ODEM messages and elevate concerns noted within their regions without the muffling that they are experiencing based on the way they are organized. An organizational review of the alignment of the RCs resulted in a decision to merge the two separate teams under one leader that reports to the Director at the executive level.

D. Tribal Liaison

Historically, ODEM did not provide dedicated support to the nine federally recognized tribes across Oregon. This resulted in gaps in notification during recent wildfires, as some tribal land is located outside of the tribal reservation but is nonetheless important from a cultural perspective. Additionally, engagement by ODEM leadership was uncommon, further weakening lines of communication. To address this gap, the tribal liaison position was established in March 2023 and filled from March to November 2023.

No formal policy regarding the role of the tribal liaison outside of the position description was provided. The role of the tribal liaison needs to be established and communicated through ODEM to ensure maximum understanding of their mission and adequate agency-wide communication of ODEM's shared role in sustaining collaborative relationships with the tribes. Further administrative review of the technical assistance necessary to fully support the mission of this position needs to be conducted to ensure wholesome coordination with all Oregon tribes. Additionally, ODEM, as the coordination entity between the tribes and state and federal partners for emergency support, must ensure that policy guidance and planning includes equitable input from the tribes to provide a more unified voice. Finally, ODEM needs to ensure it is collaborating with external organizations that support the tribes and facilitating requests for additional federal assistance when requested by the tribes, as well as collaborating with state partner tribal liaisons and ODEM regional coordinators to provide complete support.

Line of Effort #6: Fiscal Management and Legal Review Processes

Fiscal management processes focus on the way ODEM exercises its responsibility to be a good fiscal steward for both state and federal dollars, as well as manage the ODEM budget to maximize its operational effectiveness. In addition to feedback provided through the survey and one-on-one engagement, the assessment team requested external assistance in evaluating the financial records. The assessment team found six findings in this area:

- 1) ODEM's separation from OMD left ODEM without the fiscal resources it needed to be operationally successful.
- 2) ODEM did not update its agreement to receive indirect costs from FEMA when it separated from OMD in July 2022, which overextended the budget of ODEM.
- 3) ODEM continues to struggle with resolving overdue payments due to years of unexercised fiscal stewardship, lack of clear policies and lack of data management systems.
- 4) ODEM does not have clear policy guidance regarding fiscal management of state or federal funds or resources.
- 5) ODEM does not have a contract integrity program.
- 6) DOJ does not provide adequate legal counsel to meet the needs of the agency to the degree needed to protect ODEM and the state.

A. Accounting

It is relevant that ODEM's departure from OMD did not include a line-by-line review of all fiscal management systems including grant tracking, payroll, accounting, budget management or resource management. The OMD/ODEM transition occurred in the middle of a biennium, leaving the agency without a mechanism to recoup general funds from OMD until the 2023 legislative session. The agency is still trying to reconcile the split of the two entities and update the budget actuals and projections.

- 1) **Budget:** Repeated requests for the ODEM budget revealed no clear accounting of funds into ODEM. There were several known causes for the funding discrepancies – first, not all the accounting systems were updated in DAS to reflect ODEM's change from an agency under OMD to a standalone department. As a result, several workarounds in the state systems were required, which took additional personnel time to resolve. Second, ODEM relies largely on the administrative fees for general expenses, such as the salaries and expenses of executive officers, personnel administration and accounting known as the indirect cost rate. ODEM collects these fees from FEMA to manage the federal grants it administers on behalf of FEMA to both state and private subrecipients; however, an agreement for the modified costs was not executed when the organization transitioned in July 2022. Before 2022, OMD had an agreement for a 13% indirect cost rate. When the current CFO arrived in September 2022, a consultant was immediately hired to negotiate a new rate for the agency. That rate wasn't accepted until April 2023, for an implementation of July 1, 2023. This agreement is for a 42.40% indirect cost rate. Even with the new rate, FEMA would not accept it for any legacy grants. The Director elevated the matter to FEMA HQ, and the agency is now able to begin drawing on the new rate.

- 2) **Audit:** There were multiple audits conducted with findings for OMD for lack of financial policies/procedures within the then Office of Emergency Management, from the Secretary of State and FEMA. Most recently an internal audit released in August 2023 found overpayment to subrecipients, insufficient documentation for expenditures, a lack of fiscal policies and procedures and delinquent FFATA reporting. The implementation plan to remedy these issues is ongoing.¹⁵ The remedies however are contingent largely on the updating of data systems, improved grants management tools, establishment of an effective compliance program and established policies and procedures further highlighting that without these improvements the fiscal integrity of ODEM is at risk.

- 3) **Payroll.** The third reason for inaccurate accounting is the tracking mechanisms required to issue payroll under Workday, the state-procured human resources and financial management system. This system does not currently provide a mechanism to separately track billable hours per project, necessitating a separate tracking system to account for billable hours for which ODEM had no standardized process. Personnel separately accounted for their time using spreadsheets (which may or may not capture the hours spent on individual grant projects) and were then reviewed by managers and submitted to the CFO for processing. These spreadsheets were usually submitted after submission to DAS for payroll processing on Workday had occurred. This entire system is inefficient. Further, there are no assurances of the integrity of this accounting process, and therefore a separate audit by the Secretary of State was requested by ODEM leadership to review the payroll accounting system to identify further issues and recommend policy and data management tools for the finance section to be effective.

B. Fiscal Policies

The assessment team also heard concerns from the local emergency managers and internal ODEM departments regarding justification requirements, or lack thereof, from the ODEM fiscal and accounting section. There were no documented processes that could be referenced to inform subrecipients of the requirements for federal or state reimbursement. This gap in guidance was frequently raised by local emergency managers who believed ODEM was being intentionally vague to delay their reimbursement

¹⁵ Memorandum to ODEM CFO regarding Grants Audit from Chief Audit Executive, ODEM dated August 1, 2023, finding: Overpayment to Subrecipients. Overpayment of awards to subrecipients was identified in the Homeland Security Grant Program (HSGP). It appeared staff may not have had the training or understanding to effectively review the requests for reimbursement, and there were no formal policies or procedures for the process or controls for an independent review prior to submitting for payment.

Insufficient Documentation for Expenditures. Documentation was missing or insufficient to support the expenses being submitted for reimbursement. Historical staffing shortages and training or abilities were contributing factors. In addition, there was a lack of criteria documented for determining what constituted sufficient evidence.

Policies and Procedures Needed. Policies and procedures were not formalized or documented, and informal procedures did not ensure compliance with state and federal requirements. Some informal processes were lost during the transition to a stand-alone agency and the departure of key staff. The lack of policies and procedures was identified as a contributing factor in all the findings in this report.

Delinquent FFATA Reporting. There was a backlog of awards where the Federal Funding Accountability and Transparency Act (FFATA) reporting was past due. The process is assigned to staff that had other assigned responsibilities that took priority, and they had been trained in procedures that did not align with FFATA requirements.

Performance Measures. Certain areas of interest or potential risk identified in the planning process could not be effectively evaluated due to the lack of criteria and/or performance measures. Most notably was the distribution of funds in compliance with contractually defined timelines.

or were “regularly changing the rules” for reimbursement. The development of clear fiscal processes is a necessary starting point for developing good fiscal stewardship across the emergency management enterprise. Once these policies are implemented, the organization can direct efforts to educate its community and process the work.

C. Contract Integrity

The assessment team also noted that while ODEM contracts for approximately \$1 billion in consulting services to support federal and state grant programs and procure equipment, the agency does not have a contract management training requirement or program. Per ORS 279A.159 if you are the designated contract administrator for a contract valued at over \$150K, then you must complete contract administrator certification training.¹⁶

Most ODEM managers have contracts over \$150,000; however, only two completed the certification four years ago, and no refresher training has been conducted. As a result, there is a gap in oversight for contract administration that historically has led to contract performance and compliance issues.¹⁷ A strong acquisition integrity program at ODEM would ensure that personnel administering these contracts were aware of the tools available to them to confirm contract obligations are met.

D. Legal Support

The issues with contract integrity and the level of exposure facing the organization as the primary grant recipient with oversight for the grant management in Public Assistance and Hazard Mitigation programs highlighted a need for legal support specific to Federal Procurement policy in the emergency management arena. Currently, the State Department of Justice provides legal services, but there is no “assigned” legal counsel trained in emergency management operations or contracting with expertise in the Stafford Act.¹⁸

When a program requires a legal review, the team will reach out to a pool of attorneys assigned to DOJ for legal support. This process is cumbersome, inconsistent, lengthy, and expensive. As a result, many actions that would benefit from legal support early in the development process do not receive them. For example, the assessment team noted that there was a total lack of consistency in the language used in the grant contracts. Managers for these grant programs submit contracts for review into a queue where modifications are made based on the preference of the counsel that receives the request for review. They reported delays due to multiple reviews between different counsel leaving them with different language for each grant.

Standardized language would provide consistency in the grant review process and facilitate both ODEM and DOJ if matters become the subject of enforcement or litigation. Dedicated legal counsel would receive relevant training in federal law related to emergency management and state law and policy and could identify risks to the leadership before problems arise.

¹⁶ Per State Chief Procurement Officer (State CPO) directive, this certificate is designed to meet the legislative mandate for procurement training in ORS 279A.159 for those who administer a public contract for a state contracting agency.

¹⁷ The State Preparedness and Incident Response Equipment (SPIRE) grant program is a great example of these contract challenges. SPIRE provides equipment to local governments and other recipients for emergency preparedness.

¹⁸ Robert T. Stafford Disaster Relief and Emergency Act, 42 U.S.C. Ch. 68 Section 5121 et seq.

Conclusion

There were 33 findings identified through this 90-day assessment. As was noted early in this document, 90 days is not an adequate timeframe to thoroughly examine all areas for improvement of an organization. Rather, this is a starting point for identifying and addressing agency vulnerabilities and weaknesses that will require additional time and focus toward strengthening ODEM.

As executive leadership moves to address these findings, several will be folded into ODEM's strategic planning efforts that will involve input from all stakeholders and will be addressed throughout the year. Additionally, concerns raised within the context of the Gallup survey will form the basis of an ongoing program of direct engagement with staff, to ensure that the survey feedback meaningfully informs the agency's improvements going forward.

Gallup identified five steps to support organizational improvement:

1. Managers need to carefully read and analyze the team's Gallup Q12 survey results.
2. Teams should have a State of the Team conversation.
3. Managers and teams need to create visibility for team goals.
4. Teams should make engagement a priority and constantly focus on it.
5. Managers should start to change conversations.

Finally, there will be organizational changes to improve the effectiveness of ODEM's operations. Specifically, the establishment of a CIO and BSD position to manage IT/Data systems and oversee the management of ODEM operations respectively, and the realignment of the regional coordinators and the reorganization of the response section.

Key Findings:

I. Personnel Management

- 1) ODEM does not maintain a culture of customer service to effectively train and empower employees to serve.
- 2) ODEM employees support both ODEM and its mission and desire to be trusted and engaged.
- 3) The climate assessment noted several areas of improvement that should be addressed through direct engagement with management teams and incorporated into the Agency Engagement Plan (AEP).
- 4) ODEM lacks an established process to support feedback to management from colleagues and direct reports.
- 5) A complete organizational development and workforce study for ODEM is necessary to document the workload and provide recommendations for the realignment of resources and personnel to maximize organizational efficiencies.
- 6) ODEM's lack of permanent HR capability has adversely impacted its hiring, retention, recruiting and development of positions.

II. Training and leadership

- 7) ODEM does not have a consistent hiring process or professional development program for managers to ensure they have training or experience in management and leadership before assuming a leadership role.

- 8) Appointment of team leaders without commensurate leader training is adversely impacting their ability to successfully perform at their assigned level.
- 9) The federal training requirements are onerous as applied across ODEM.
- 10) The EDO/SDO program needs to be replaced.

III. Business plans and procedures

- 11) ODEM does not have updated plans and procedures reflecting of its new position as a separate agency.
- 12) ODEM managers develop their own internal guidance for data and task management.
- 13) ODEM does not have standardized processes for developing and coordinating work internal and external to ODEM.

IV. Data systems management

- 14) ODEM does not have an updated information technology plan, policies or procedures.
- 15) The lack of a CIO trained to assess data management systems allowed ODEM to fall behind state and local entities making integration more challenging and, in some cases, impossible.
- 16) ODEM does not have a robust IT department or defined and trained management.
- 17) ODEM's crisis management tool is archaic, inefficient and requires replacement.
- 18) ODEM's lack of a record management system subjects ODEM to potential liability.
- 19) ODEM lacks a standardized and transparent grant management tool.
- 20) The ability of ODEM to provide remote data access is essential to emergency management.

V. Internal and external communications

- 21) ODEM does not have protocols to cross-level information across the whole staff.
- 22) ODEM's alignment with different federal funds has created a siloed organization that does not engage in shared and effective internal communications.
- 23) ODEM does not have an established cadence of coordination on Homeland Security matters.
- 24) ODEM's current emergency operations plan does not embody the Governor's vision of delivering excellent customer service.
- 25) ODEM does not have an established process to coordinate the development of policies and guidance external to ODEM and lacks the staff to oversee and track the administrative rules (OAR) process.
- 26) The regional coordinator program is not organized with a clear mission and authority to successfully support their role as regional emergency response coordinators.
- 27) The ODEM tribal liaison position does not have a clear mission and authority to successfully support the nine federally recognized tribes across Oregon.

VI. Fiscal management and legal review processes¹⁹

- 28) ODEM's separation from OMD left ODEM without the fiscal resources it needed to be operationally successful.

¹⁹ Originally titled Grant Management after an initial 60 days was expanded to include all fiscal management processes.

- 29) ODEM did not update its agreement to receive indirect costs from FEMA when it separated from OMD in July 2022 which overextended the budget of ODEM.
- 30) ODEM continues to struggle with resolving overdue payments due to years of unexercised fiscal stewardship, lack of clear policies and lack of data management systems.
- 31) ODEM does not have clear policy guidance regarding fiscal management of state or federal funds.
- 32) ODEM does not have a contract integrity program.
- 33) DOJ does not provide dedicated legal counsel to meet the needs of the agency to the degree needed to protect ODEM and the state.

Appendix A: Governor Kotek Letter, Sept. 12, 2023



TINA KOTEK
GOVERNOR

September 12, 2023

Erin McMahon, Director
Oregon Department of Emergency Management
3930 Fairview Industrial Drive SE
Salem, OR 97302

Dear Director McMahon,

Welcome to your service to the State of Oregon! As you take on your new role leading the Oregon Department of Emergency Management (ODEM), I know you will keep the mission of the agency front and center – to ensure that Oregon stands ready to serve its residents on the day they need us most. It is a weighty charge to lead this critical work, and I want to thank you for stepping forward to serve Oregonians across the state.

You arrive at a time of transition for the agency and for emergency management in Oregon. ODEM has increased in size and independence since 2021. It is called to respond with increasing frequency to heat, severe storms, wildfires, and floods. The agency must now mature its systems and culture to meet the needs of Oregonians in this moment. And it must maintain readiness even while it grows and transforms. While not an easy task, I am confident in your leadership, ability, and experience to guide the agency through this time of growth and transition.

I will rely on you to:

- Maintain situational awareness and communicate clearly with your team and with my office about emerging incidents and risks, so that we are as prepared as possible for events.
- Work collaboratively with other state agencies and local partners to mount an effective and unified response to incidents.
- Ask for the resources you need to succeed in your work and use all resources at your disposal to serve Oregonians in crisis.
- Center your work in service to communities that face disparate disaster risks and hold the safety and wellbeing of people above all else.
- Act with integrity and earn trust by all your actions.

I recognize that it will take time to effect change at ODEM. As you begin to assess and understand the organization's needs, you may find that different roles or resources are necessary to succeed in the work long-term. By asking you to make change, I am also giving you

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permission to try new things, make mistakes, and challenge the status quo. I know you will also find success and make new allies in this work.

No state agency, including ODEM, can provide a complete response to a complex incident working on its own. Rather, ODEM's role is to lead collaborative statewide efforts to prepare, respond, and recover from emergencies. For this reason, you assume leadership not only of ODEM but of statewide response to emergencies. As the Governor, I am your partner in this, and my office is here to support you in delivering the best service and care to Oregonians. I look forward to working with you and to the things you will accomplish for ODEM and for Oregon.

Our state resilience officer, Jonna Papaefthimiou, is my advisor on emergency management and will be your day-to-day contact for my office.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Kotek". The signature is fluid and cursive, with a large initial "T" and "K".

Governor Tina Kotek