



August 29, 2024

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Re: 2025-27 Affirmative Action Plan

The Oregon Public Defense Commission (OPDC) is committed to building a workforce that is reflective of the population we serve. Affirmative Action is an essential component in all recruitment, promotional and career development opportunities at OPDC. We also are creating our DEI Plan to identify strategies to incorporate diversity, equity, and inclusion into all aspects of our programs and services so we may better serve persons eligible for a public defender. Key to these efforts is our commitment to ensuring a work environment that is positive, productive, and free from harassment and discrimination. OPDC will include training on DEI and respectful workplace in our Training Plan. DEI will be a focus in professional development and performance assessments and/or evaluations as a way to implement the Agency's Affirmative Action Plan. We envision a prime opportunity in the next five years to diversify as we establish our in-house Trial Division.

Enclosed please find the Oregon Public Defense Commission's Affirmative Action Plan for the 2025-2027 Biennium for your review and consideration.

If you have any questions or need additional information please contact Laura Sanchez, Human Resources (HR) Director, at 971-720-0310.

Respectfully,

A handwritten signature in black ink, appearing to read 'jakk'.

Jessica Kampfe
Executive Director

c: Emese Perfecto, Deputy Director
Laura Sanchez, HR Director
Lisa McCune, Sr. HR Business Partner



**Oregon
Public
Defense
Commission**

AFFIRMATIVE ACTION PLAN

2025-2027 Biennium

Contents

Agency Overview	3
Mission.....	3
Objectives.....	3
Identification of OPDC Employees.....	4
Executive Director.....	4
Policy Advisor.....	4
Affirmative Action Representatives.....	3
COBID Contracting and Procurement Lead	4
Organizational Chart	5
Roles for Implementation of Affirmative Action Plan	6
Current Biennium Affirmative Action Progress Report	8
Workforce Demographic Data and Analysis	9
July 1, 2023 to June 30, 2024.....	9
Next Biennium Affirmative Action Plan	18
July 1, 2025 to June 30, 2027.....	18
Complaint Options	19
Succession Plan	19
Contracting.....	19
Appendix A – OPDS Policy Documentation	20

Agency Description

The Oregon Public Defense Commission (OPDC) is a 13-member commission appointed by the Chief Justice of the Oregon Supreme Court based on input from all three branches of Government. The Commission serves as the governing body for Oregon's public defense system. The Commission provides policy direction and oversight for the administration of the system. The legal services provided by OPDC represent an essential component of Oregon's public safety system.

The office includes the Executive Division, the Compliance, Audit, and Performance Division, the Appellate Division (AD), State Trial offices and the Administrative Services Division. The agency negotiates contracts with trial level public defense providers and administers and distributes funds for representation and related services for cases during the biennium for criminal, juvenile, and civil commitment cases. The agency provides compliance and oversight to the trial community providers through quality assurance practices, training, and education. Financial Services processes all expenses related to representation in public defense cases. The Appellate Division provides direct legal representation in the state appellate courts in criminal cases, juvenile dependency and termination of parental rights cases, and parole cases. Other services in the agency include, Data Collection and Analysis, General Counsel, Human Resources, Information Technology Services, Internal Audit, and Policy Development.

Mission

The mission of OPDC is to ensure constitutionally competent and effective legal representation for persons eligible for a public defender.

Vision

The Oregon Public Defense Commission (OPDC) will maintain a sustainable statewide public defense system that provides quality representation to eligible clients in trial and appellate court proceedings. To that end, the OPDC is a

- guardian of the legal rights and interests of public defense clients and the public's interest in equal justice and due process of law.
- champion for the effective delivery of public defense services and administration of justice, and for funding that ensure the continuing availability of competent and dedicated public defense counsel.
- responsive and cooperative policy maker in the state's justice system.
- responsible steward of taxpayer dollars devoted to public defense.

Identification of Oregon Public Defense Commission employees:

Executive Director

Jessica Kampfe, Executive Director
198 Commercial St SE, Suite 205
Salem, OR 97301
(503) 378-2515

Policy Advisor

Constantin Severe
(503)373-1558

Affirmative Action Representatives

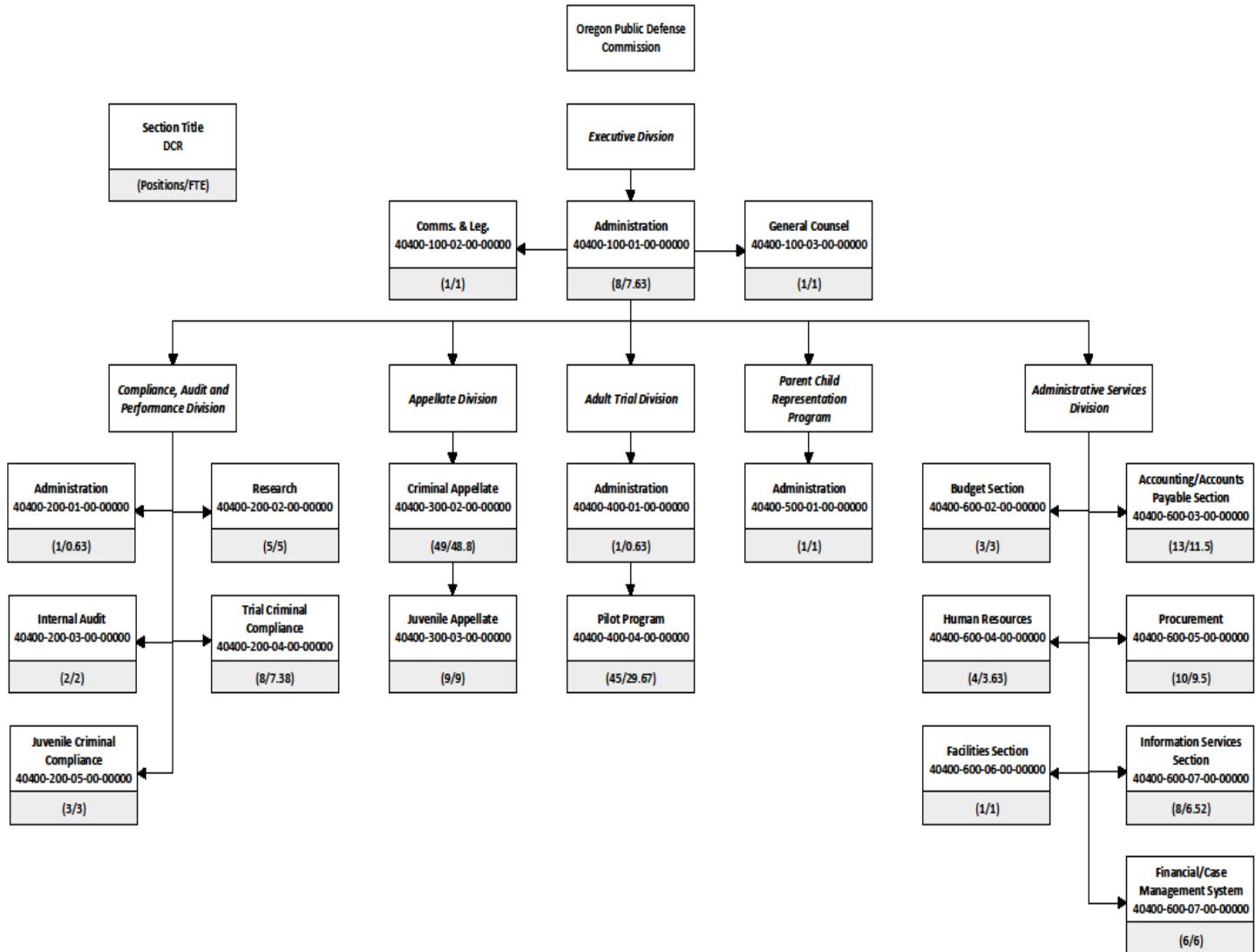
Laura Sanchez, Human Resources Director
198 Commercial St SE, Suite 205
Salem, OR 97301
(971) 720-0310

Lisa McCune, Senior HR Business Partner
198 Commercial St SE, Suite 205
Salem, OR 97301
(971) 453-1848

COBID Contracting and Procurement Lead

Ralph Amador, Chief Financial Officer
198 Commercial St SE, Suite 205
Salem, OR 97301
(971) 332-0071

Oregon Public Defense Commission Organizational Chart



Roles for Implementation of Affirmative Action Plan

Executive Leadership

OPDC's Executive Director and Deputy Director will play a crucial part in the success of OPDC's Diversity and Inclusion Plan and Affirmative Action Plan by providing leadership and oversight. This will ensure top-down support and accountability for the goals of these two plans.

Managers and Supervisors

All division administrators and unit managers within OPDC are responsible for meeting the goals and objectives for diversity, equity, and inclusion.

Division administrators, unit managers

- Actively seek ways to recruit, hire, and develop diverse teams.
- Brief all new employees on OPDC's Affirmative Action Plan and their role in supporting it.
- Engage in effective team participation through willingness to assist and support co-workers, other managers, and other work-related associations.
- Develop good working relationships with internal and external stakeholders through active participation in cross-divisional group projects and in identifying and resolving problems in a constructive, collaborative manner.
- Perform work in a manner that consistently promotes safety and wellness in the workplace and promptly reports safety concerns to management.
- Contribute to a positive, respectful, and productive work environment in a manner that fosters and promotes the importance and value of a diverse, discrimination and harassment-free workplace. Respect diversity of opinions, ideas, and cultural differences.

The Human Resources Administrator is accountable to Executive Director in ensuring that OPDC provides employees with the necessary tools, policies, and training available to be knowledgeable of and make appropriate decisions relating to diversity, equity and inclusion as well as affirmative action considerations. She also ensures that programs are in place and additional efforts are made to recruit, hire and promote qualified women, people of color and individuals with disabilities and work in a safe and respectful place.

- Periodically review training programs and hiring and promotion patterns in order to remove impediments to attaining affirmative action goals and objectives.
- Regularly discuss OPDC's affirmative action policy with employees to ensure the policy is being followed.
- Periodically review office policies, practices, and conditions to ensure that:
 - Equal Employment Opportunity information and OPDC's affirmative action policy are properly displayed.
 - All facilities for the use and benefit of employees are in fact desegregated, both in policy and in use, exclusive of those areas excepted by federal laws and regulations.
 - All employees regardless of position or class are equally afforded a full opportunity to participate in OPDS's educational and training.
 - All facilities are accessible to disabled employees or clients.

Other Staff

All employees at OPDC are responsible for creating a work environment where they want to work and where others have a positive work experience as well.

Many of OPDC staff have routine interactions with external partners and clients providing the opportunity to portray the agencies commitment to developing good working relationships with internal and external stakeholders through active participation in cross-divisional group projects and in identifying and resolving problems in a constructive, collaborative manner.

Current Biennium Affirmative Action Progress Report

Following are the goals and strategies included in the 2023-25 Affirmative Action Plan

- To budget appropriate resources for the agency to support agency affirmative action Goals, the agency has developed a Workforce Development Strategy with a two faceted approach, 1) providing assistance to the providers serving on behalf of the agency to provide public defense services state-wide in addressing the systemic problem faced with representation, and 2) a plan for investment of professional development for non-attorney employees. The agency has a commitment to invest in the professional growth of all employees to provide stellar services that will impact the clients served by the system. The agency will be requesting an Equity and Inclusion officer in a policy option package for the 23-25 biennium with two primary focuses; advancing diversity, equity, and inclusion in the state-wide public defense system, and implementation of a workforce development strategy.
- Expand outreach and engagement with providers of service to expand opportunities internally and externally to address the systemic issues facing citizens in their constitutional right to representation.
- Refine recruitment strategies and hiring practices to facilitate the placement and promotion of minority group personnel for both internal and external recruitments.
- Actively participate on trade and state-wide affirmative action committees, organizations and activities to promote OPDS's Affirmative Action Plan.
- Continue to distribute job announcements to all OPDS diversity partners to ensure that a diverse workforce is encouraged to apply for our job openings.
- Support a welcoming environment that is attractive to a diverse pool of applicants and employees to be inclusive, accepting and respectful of others differences and recognizes the value of each individual's unique contributions.
- OPDS will survey its contractors to obtain reliable data about workforce composition and establish appropriate goals to expand the number of minority attorneys and staff members employed in public defense in Oregon.
- In anticipation of the difficulty of recruiting successfully from the small group of minority attorneys graduating from Oregon law schools each year, OPDS will work with its contractors to develop strategies for promoting legal careers and, specifically, careers in public defense, among Oregon high school and college students.

Assessment of our progress in meeting those goals

In the past two years OPDC has experienced significant turnover in our executive leadership team including both the Executive Director and Deputy Director and all but one of the Human Resources Unit. As a result, during the first year of this biennium there has not been a lot of focus on our affirmative action goals and strategies.

In the past few months, we have hired a HR Analyst position dedicated to recruitment strategies and a Senior HR Business Partner who is responsible for DEI strategies and creating a DEI Plan. With this renewed focus on these critical areas, we believe we will see progress in meeting our goals.

Workforce Demographic Data and Analysis

As of June 30, 2023, and June 30, 2024, for the following:

Employees by race/ethnicity:

Racial/Ethnicity	SUPERVISORS							
	2023		2024					
	Female	Male	All	Pct.	Female	Male	All	Pct.
American Indian/Alaska Native	0	0	0	0.0%	0	0	0	0.0%
Asian	0	0	0	0.0%	0	0	0	0.0%
Black/African American	1	1	2	11.1%	0	0	0	0.0%
Hispanic or Latino	0	0	0	0.0%	1	1	2	11.8%
I do not wish to answer	0	0	0	0.0%	0	0	0	0.0%
Native Hawaiian/Other Pacific Islander	0	0	0	0.0%	0	0	0	0.0%
Two Or More Races	0	0	0	0.0%	1	0	1	5.9%
White	10	6	16	88.9%	8	6	14	82.4%
Totals	11	7	18	61.1%	10	7	17	58.8%

% Women

% Women

Our representation of women and people of color in our supervisory positions have remained relatively static since the beginning of the 2023-2025 biennium. We did see increases of Hispanic or Latino supervisors, increasing from none to two and one supervisor of Two or More Races.

Workforce: 6/30/23 Race/Ethnicity by Job Category

Race/Ethnicity	Administrative Support (Including Clerical Sales)		Officials and Administrators		Paraprofessionals		Professionals		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	100.0%	1	0.0%	0	0.0%	0	0.0%	0	0.9%	1
Asian	33.3%	1	0.0%	0	0.0%	0	66.7%	2	2.6%	3
Black or African American	50.0%	1	0.0%	0	0.0%	0	50.0%	1	1.8%	2
Hispanic or Latino	18.2%	2	9.1%	1	9.1%	1	63.6%	7	9.6%	11
I do not wish to answer	0.0%	0	0.0%	0	0.0%	0	100.0%	7	6.1%	7
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Two or More Races	50.0%	1	0.0%	0	0.0%	0	50.0%	1	1.8%	2
White	10.2%	9	10.2%	9	1.1%	1	78.4%	69	77.2%	88
Total		15		10		2		87		114

Workforce: 6/30/24 Race/Ethnicity by Job Category

Race/Ethnicity	Administrative Support (Including Clerical Sales)		Officials and Administrators		Paraprofessionals		Professionals		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	66.7%	2	0.0%	0	0.0%	0	33.3%	1	2.2%	3
Asian	33.3%	1	0.0%	0	0.0%	0	66.7%	2	2.2%	3
Black or African American	33.3%	1	0.0%	0	0.0%	0	66.7%	2	2.2%	3
Hispanic or Latino	41.7%	5	16.7%	2	16.7%	2	25.0%	3	8.7%	12
I do not wish to answer	10.5%	2	0.0%	0	5.3%	1	84.2%	16	13.8%	19
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	0.0%	2	1.4%	2
Two or More Races	33.3%	1	33.3%	1	0.0%	0	33.3%	1	2.2%	3
White	7.5%	7	7.5%	7	2.2%	2	82.8%	77	67.4%	93
Total		19		10		5		104		138

Since June 30, 2023, we have increased our staffing by 28 and increased our overall racial/ethnicity by eight. Increases in racial/ethnic representation occurred in Administrative Support (5), Officials and Administrators (2) and Paraprofessionals (1). Increasing our representation in the Professionals category will be a focus over the next year as we are in the process forming OPDC's new Trial Division and will be heavily recruiting for attorneys to provide trial level advocacy for unrepresented individuals.

Age (generation), gender, reported disability status, and reported veterans' status.

As of June 30, 2023 Race/Ethnicity	Baby Boomers		Generation X (1965)		Generation Z (1997)		Millennials (1981 -		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0.0%	0	0.9%	1	0.0%	0	0.0%	0	0.9%	1
Asian	0.0%	0	0.9%	1	0.0%	0	0.9%	1	1.8%	2
Black or African American	0.0%	0	0.9%	1	0.0%	0	0.9%	1	1.8%	2
Hispanic or Latino	0.0%	0	1.8%	2	0.0%	0	8.2%	9	10.0%	11
I do not wish to answer	0.9%	1	0.9%	1	0.0%	0	3.6%	4	5.5%	6
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Two or More Races	0.0%	0	0.9%	1	0.0%	0	0.9%	1	1.8%	2
White	7.3%	8	33.6%	37	1.8%	2	35.5%	39	78.2%	86
Total	8.2%	9	40.0%	44	1.8%	2	0.0%	55		110

As of June 30, 2024 Race/Ethnicity	Baby Boomers		Generation X (1965)		Generation Z (1997)		Millennials (1981 -		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0.0%	0	1.4%	2	0.0%	0	0.7%	1	2.2%	3
Asian	0.7%	1	0.7%	1	0.0%	0	0.7%	1	2.2%	3
Black or African American	0.0%	0	0.7%	1	0.0%	0	1.4%	2	2.2%	3
Hispanic or Latino	0.0%	0	2.2%	3	1.4%	2	5.1%	7	8.7%	12
I do not wish to answer	2.2%	3	5.1%	7	0.0%	0	6.5%	9	13.8%	19
Native Hawaiian or Other Pacific Islander	0.0%	0	0.7%	1	0.0%	0	0.7%	1	1.4%	2
Two or More Races	0.0%	0	0.7%	1	0.0%	0	1.4%	2	2.2%	3
White	4.3%	6	30.4%	42	0.7%	1	31.9%	44	67.4%	93
Total	7.2%	10	42.0%	58	2.2%	3	0.0%	67		138

Our numbers related to age (generation) have remained consistent over the past year. The majority of our staff are Generation X and Millennials, and those two age groups are where we saw greater increases in representation.

As of June 30, 2023 Race/Ethnicity	Female		Male		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0.9%	1	0.0%	0	0.9%	1
Asian	0.9%	1	0.9%	1	1.8%	2
Black or African American	0.0%	0	1.8%	2	1.8%	2
Hispanic or Latino	7.3%	8	2.7%	3	10.0%	11
I do not wish to answer	2.7%	3	2.7%	3	5.5%	6
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0
Two or More Races	1.8%	2	0.0%	0	1.8%	2
White	49.1%	54	29.1%	32	78.2%	86
Total	62.7%	69	37.3%	41		110

As of June 30, 2024 Race/Ethnicity	Female		Male		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	1.4%	2	0.7%	1	2.2%	3
Asian	1.4%	2	0.7%	1	2.2%	3
Black or African American	0.0%	0	2.2%	3	2.2%	3
Hispanic or Latino	7.2%	10	1.4%	2	8.7%	12
I do not wish to answer	8.0%	11	5.8%	8	13.8%	19
Native Hawaiian or Other Pacific Islander	0.7%	1	0.7%	1	1.4%	2
Two or More Races	2.2%	3	0.0%	0	2.2%	3
White	39.1%	54	28.3%	39	67.4%	93
Total	60.1%	83	39.9%	55		138

We increased our representation of females by fourteen. Our overall representation of women at OPDC is high, nearly double the number of male staff.

As of June 30, 2023 Race/Ethnicity	No Reported Disability		Reported Disability		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	1%	1	0%	0	1%	1
Asian	2%	2	0%	0	2%	2
Black or African American	2%	2	0%	0	2%	2
Hispanic or Latino	10%	11	0%	0	10%	11
I do not wish to answer	5%	6	0%	0	5%	6
Native Hawaiian or Other Pacific Islander	0%	0	0%	0	0%	0
Two or More Races	2%	2	0%	0	2%	2
White	76%	84	2%	2	78%	86
Total	98%	108	2%	2		110

As of June 30, 2024 Race/Ethnicity	No Reported Disability		Reported Disability		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	2.2%	3	0.0%	0	2.2%	3
Asian	2.2%	3	0.0%	0	2.2%	3
Black or African American	2.2%	3	0.0%	0	2.2%	3
Hispanic or Latino	8.7%	12	0.0%	0	8.7%	12
I do not wish to answer	13.0%	18	0.7%	1	13.8%	19
Native Hawaiian or Other Pacific Islander	1.4%	2	0.0%	0	1.4%	2
Two or More Races	2.2%	3	0.0%	0	2.2%	3
White	66.7%	92	0.7%	1	67.4%	93
Total	98.6%	136	1.4%	2		138

Our representation of individuals with disabilities remains unchanged. This will be another area we will want to explore opportunities for outreach as most of our positions would likely be possible opportunities for members of this population.

As of June 30, 2023		Not a Veteran		Veteran		Total	
Race/Ethnicity		Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native		0.9%	1	0.0%	0	0.9%	1
Asian		1.8%	2	0.0%	0	1.8%	2
Black or African American		0.9%	1	0.9%	1	1.8%	2
Hispanic or Latino		9.1%	10	0.9%	1	10.0%	11
I do not wish to answer		5.5%	6	0.0%	0	5.5%	6
Native Hawaiian or Other Pacific Islander		0.0%	0	0.0%	0	0.0%	0
Two or More Races		1.8%	2	0.0%	0	1.8%	2
White		74.5%	82	3.6%	4	78.2%	86
Total		94.5%	104	5.5%	6		110

As of June 30, 2024		Not a Veteran		Veteran		Total	
Race/Ethnicity		Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native		2.2%	3	0.0%	0	2.2%	3
Asian		2.2%	3	0.0%	0	2.2%	3
Black or African American		1.4%	2	0.7%	1	2.2%	3
Hispanic or Latino		8.0%	11	0.7%	1	8.7%	12
I do not wish to answer		13.8%	19	0.0%	0	13.8%	19
Native Hawaiian or Other Pacific Islander		1.4%	2	0.0%	0	1.4%	2
Two or More Races		2.2%	3	0.0%	0	2.2%	3
White		65.2%	90	2.2%	3	67.4%	93
Total		96.4%	133	3.6%	5		138

Our representation of veterans has decreased by one since June 30, 2023. This will be another opportunity to explore outreach prospects.

Promotions and New Hires During July 1, 2022 to June 30, 2023; and July 1, 2023 to June 30, 2024

Promotions by race/ethnicity: Supervisors and non-supervisors by race/ethnicity and gender

Agency Promotions by Racial/Ethnicity

July 1, 2022 to June 30, 2023	Supervisory			Non-Supervisory			Total	
	Racial /Ethnicity	Female	Male	All	Female	Male	All	
American Indian/Alaska Native	0	0	0	0	0	0	0	0
Asian	0	0	0	0	0	0	0	0
Black/African American	0	0	0	0	0	0	0	0
Hispanic	0	0	0	1	0	1	1	1
I do not wish to answer	0	0	0	0	1	1	1	1
Native Hawaiian/Other Pacific Islander	0	0	0	0	0	0	0	0
Two Or More Races	0	0	0	1	0	1	1	1
White	1	0	1	3	1	4	5	5
Agency Totals	1	0	1	5	2	7	8	8

Agency Promotions by Racial/Ethnicity

July 1, 2023 to June 30, 2024	Supervisory			Non-Supervisory			Total
Racial /Ethnicity	Female	Male	All	Female	Male	All	Promotions
American Indian/Alaska Native	0	0	0	0	0	0	0
Asian	0	0	0	1	0	1	1
Black/African American	0	0	0	0	0	0	0
Hispanic	1	0	1	0	0	0	1
I do not wish to answer	0	0	0	0	2	2	2
Native Hawaiian/Other Pacific Islander	0	0	0	0	0	0	0
Two Or More Races	0	0	0	0	0	0	0
White	0	0	0	4	2	6	6
Agency Totals	1	0	1	5	4	9	10

OPDC continues to internally promote females and persons of color, however we have not experienced any significant increase in minority representation in these positions.

New Hires by race/ethnicity: Employees hired into permanent full-time positions by job category, age (generation), gender, reported disability status, and reported veterans' status.
Hires July 1, 2022 to June 30, 2023

Race/Ethnicity	Administrative Support (Including Clerical Sales)		Officials and Administrators		Paraprofessionals		Professionals		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Asian	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Black or African American	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Hispanic or Latino	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
I do not wish to answer	0.0%	0	0.0%	0	0.0%	0	100.0%	3	20.0%	3
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Two or More Races	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
White	0.0%	0	16.7%	2	0.0%	0	83.3%	10	80.0%	12
Total	0.0%	0	13.3%	2	0.0%	0	86.7%	13		15

Hires July 1, 2023 to June 30, 2024

Race/Ethnicity	Administrative Support (Including Clerical Sales)		Officials and Administrators		Paraprofessionals		Professionals		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Asian	33.3%	1	33.3%	1	0.0%	0	33.3%	1	8.1%	3
Black or African American	0.0%	0	66.7%	2	0.0%	0	33.3%	1	8.1%	3
Hispanic or Latino	100.0%	2	0.0%	0	0.0%	0	0.0%	0	5.4%	2
I do not wish to answer	15.4%	2	0.0%	0	7.7%	1	76.9%	10	35.1%	13
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	0.0%	1	2.7%	1
Two or More Races	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
White	0.0%	1	40.0%	6	0.0%	0	53.3%	8	40.5%	15
Total	16.2%	6	24.3%	9	2.7%	1	56.8%	21		37

This past year OPDC has made positive strides in increasing our hiring of individuals from under-represented racial/ethnic groups. A little over 24% of new hires were persons of color. The prior year none of the new hires were persons of color.

Hires July 1, 2022 to June 30, 2023

Race/Ethnicity	Hires July 1, 2022 to June 30, 2023											
	Baby Boomers (1947 - 1964)		Generation X (1965 - 1980)		Generation Z (1997 - Current)		Millennials (1981 - 1996)		Blank		Total	
Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
American Indian or Alaska Native	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Asian	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Black or African American	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Hispanic or Latino	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
I do not wish to answer	33.3%	1	33.3%	1	0.0%	0	33.3%	1	0.0%	0	20.0%	3
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Two or More Races	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
White	8.3%	1	16.7%	2	8.3%	1	58.3%	7	8.3%	1	80.0%	12
Total	13.3%	2	20.0%	3	6.7%	1	53.3%	8	6.7%	1		15

Hires July 1, 2023 to June 30, 2024

Race/Ethnicity	Hires July 1, 2023 to June 30, 2024													
	Baby Boomers (1947 - 1964)		Generation X (1965 - 1980)		Generation Z (1997 - Current)		Millennials (1981 - 1996)		Traditionalists (1917 - 1946)		Blank		Total	
Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	
American Indian or Alaska Native	0.0%	0	0.0%	2	0.0%	0	0.0%	1	0.0%	0	0.0%	0	8.1%	3
Asian	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Black or African American	33.3%	1	0.0%	0	0.0%	0	66.7%	2	0.0%	0	0.0%	0	8.1%	3
Hispanic or Latino	0.0%	0	0.0%	0	100.0%	2	0.0%	0	0.0%	0	0.0%	0	5.4%	2
I do not wish to answer	15.4%	2	46.2%	6	0.0%	0	38.5%	5	0.0%	0	0.0%	0	35.1%	13
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	100.0%	1	0.0%	0	0.0%	0	2.7%	1
Two or More Races	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
White	20.0%	3	33.3%	5	0.0%	0	33.3%	5	6.7%	1	6.7%	1	40.5%	15
Total	16.2%	6	35.1%	13	5.4%	2	37.8%	14	2.7%	1	2.7%	1		37

As noted earlier, most of our staff are Generation X and Millennials, and those two age groups are where we saw greater numbers of new hires although we appointed people from all five generations.

Hires July 1, 2022 to June 30, 2023

Race/Ethnicity	Female				Male				Blank		Total	
	Percent	Number										
American Indian or Alaska Native	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Asian	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Black or African American	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Hispanic or Latino	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
I do not wish to answer	66.7%	2	33.3%	1	0.0%	0	0.0%	0	20.0%	3		
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Two or More Races	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0
White	41.7%	5	50.0%	6	8.3%	1	80.0%	12				
Total	46.7%	7	46.7%	7	6.7%	1						15

Hires July 1, 2023 to June 30, 2024

Race/Ethnicity	Female		Male		Blank		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0.0%	2	0.0%	1	0.0%	0	8.1%	3
Asian	0.0%	0	0.0%	0	0.0%	0	0.0%	0
Black or African American	0.0%	1	0.0%	2	0.0%	0	8.1%	3
Hispanic or Latino	0.0%	2	0.0%	0	0.0%	0	5.4%	2
I do not wish to answer	69.2%	9	30.8%	4	0.0%	0	35.1%	13
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	1	0.0%	0	2.7%	1
Two or More Races	0.0%	0	0.0%	0	0.0%	0	0.0%	0
White	33.3%	5	60.0%	9	6.7%	1	40.5%	15
Total	51.4%	19	45.9%	17	2.7%	1		37

As previously stated, females are well represented at OPDC. Hiring of female and male staff has been balanced pretty equally of the past two years.

Hires July 1, 2022 to June 30, 2023

Race/Ethnicity	No Reported Disability		Reported Disability		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0%	0	0%	0	0%	0
Asian	0%	0	0%	0	0%	0
Black or African American	0%	0	0%	0	0%	0
Hispanic or Latino	0%	0	0%	0	0%	0
I do not wish to answer	100%	4	0%	0	27%	4
Native Hawaiian or Other Pacific Islander	0%	0	0%	0	0%	0
Two or More Races	0%	0	0%	0	0%	0
White	100%	11	0%	0	73%	11
Total	100%	15	0%	0		15

Hires July 1, 2023 to June 30, 2024

Race/Ethnicity	No Reported Disability		Reported Disability		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	100.0%	3	0%	0	8.1%	3
Asian	0.0%	0	0.0%	0	0.0%	0
Black or African American	100.0%	3	0.0%	0	8.1%	3
Hispanic or Latino	100.0%	2	0.0%	0	5.4%	2
I do not wish to answer	92.9%	13	7.1%	1	37.8%	14
Native Hawaiian or Other Pacific Islander	100.0%	1	0.0%	0	2.7%	1
Two or More Races	0.0%	0	0.0%	0	0.0%	0
White	92.9%	13	7.1%	1	37.8%	14
Total	94.6%	35	5.4%	2		37

While we have hired two individuals with disabilities this past year, our representation remains unchanged.

Hires July 1, 2022 to June 30, 2023

	Not a Veteran		Veteran		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	0.0%	0	0.0%	0	0.0%	0
Asian	0.0%	0	0.0%	0	0.0%	0
Black or African American	0.0%	0	0.0%	0	0.0%	0
Hispanic or Latino	0.0%	0	0.0%	0	0.0%	0
I do not wish to answer	100.0%	4	0.0%	0	26.7%	4
Native Hawaiian or Other Pacific Islander	0.0%	0	0.0%	0	0.0%	0
Two or More Races	0.0%	0	0.0%	0	0.0%	0
White	81.8%	9	18.2%	2	73.3%	11
Total	86.7%	13	13.3%	2		15

Hires July 1, 2023 to June 30, 2024

Race/Ethnicity	Not a Veteran		Veteran		Total	
	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native	100.0%	3	0.0%	0	8.1%	3
Asian	0.0%	0	0.0%	0	0.0%	0
Black or African American	100.0%	3	0.0%	0	8.1%	3
Hispanic or Latino	100.0%	2	0.0%	0	5.4%	2
I do not wish to answer	100.0%	14	0.0%	0	37.8%	14
Native Hawaiian or Other Pacific Islander	100.0%	1	0.0%	0	2.7%	1
Two or More Races	0.0%	0	0.0%	0	0.0%	0
White	100.0%	14	0.0%	0	37.8%	14
Total	100.0%	37	0.0%	0		37

There were no new hires who identified as veterans this past year compared to two hired the prior year.

Next Biennium Affirmative Action Plan

OPDC Strategies and goals

Leadership at OPDC are currently undertaking creation of a strategic plan for the agency. In addition, OPDC is in the process of preparing for our transition from the Judicial Branch to the Executive Branch of Oregon State Government.

Human Resources staff completed strategic planning in May 2024. Priorities in the plan include the DEI Plan, Affirmative Action Plan, Succession Plan, with the expectations of these being completed in the next two months. As a new team, Human Resources is very excited to move these important initiatives forward.

Since affirmative action goals and strategies are interconnected to the agencies strategic plan and the other two plans, the goals in this document will be a work in progress and will likely evolve before the 2025-27 biennium begins to ensure goals support these plans.

Goals

1. Finalize development of DEI and Succession Plans.
2. Identify outreach opportunities for individuals with disabilities and veterans.
3. Finalize Training Plan for OPDC. Include DEI related training.
4. Finalize the Employee Engagement contract and present the survey to staff. Results will be utilized to assess current strategies and identify areas of opportunity.
5. Create a process for tracking our contracts with minority or women owned businesses.

Complaint Options

OPDC has Maintaining a Professional Workplace policy and Non-Discrimination and Harassment Free Workplace policies that provide a complaint process for staff to bring forward concerns and get resolution. As part of the agency's preparation for transition to the Executive Branch, these policies along with other HR policies will be reviewed to ensure alignment with CHRO HR policies. Where possible, we will consider adopting the CHRO policies.

Lisa McCune, Senior HR Business Partner, has been identified as the individual responsible for receiving reports of prohibited conduct. Laura Sanchez, HR Director, has been identified as alternate. Contact information for these individuals is:

Lisa McCune, Senior HR Business Partner
lisa.c.mccune@opdc.state.or.us
(971) 453-1848

Laura Sanchez, Human Resources Director
laura.e.sanchez@opdc.state.or.us
(971) 720-0310

Responding to employee concerns of discrimination in the areas of hiring, retention, promotion, and career development are of utmost importance to OPDC. Any individual who believes s/he has been discriminated against on the basis of a protected class may file a complaint as outlined in Department of Administrative Services Policy, DAS 50-010-01, Discrimination and Harassment Free Workplace.

Individuals also have the right to file grievances or complaints of discrimination instead, or concurrently with the Bureau of Labor and Industries, the Equal Employment Opportunity Commission or in accordance with the collective bargaining agreement.

Oregon Bureau of Labor and Industries - Civil Rights Division

Portland
State Office Building
1800 SW 1st Ave, Suite 500
Portland, OR 97201
Website: [BOLI COMPLAINTS FILING](#)
Phone Number: English: 971.245.3844
Espanol: 971.673.2818
Fax: 971.673.0765
Email: help@boli.oregon.gov

Eugene
1400 Executive Parkway, Suite 200
Eugene, OR 97401
Phone Number: 541.686.7623

Salem
3865 Wolverine Street NE; Bldg. E-1

Salem, OR 97305-1268
Phone Number: 503.378.3292

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

U.S. Equal Employment Opportunity Commission
Seattle Field Office
Federal Office Building
909 First Avenue, Suite 400
Seattle, WA 98104-1061
Phone Number: 1.800.669.4000
EEOC Public Portal: <https://publicportal.eeoc.gov/>

The EEOC does not maintain an office in Oregon. The Seattle Field Office is open Monday – Friday from 8:00 a.m. – 3:00 p.m.

Succession Plan

As indicated above, creation of a Succession Plan is in process and will be completed by no later than the end of the year.

Contracting

Prior to this year, OPDC has not used Oregon Buys. Since our new Facilities Manager was hired in March, we have started utilizing Oregon Buys.

OPDC contracts with many public defenders throughout the state including minorities and women. Unfortunately, there is no data as to whether any of these are COBID Certified. We are not included on the Procurement Equity Disparity Study Data Dashboard. One of our goals for the coming biennium will be to have a process in place to track this data.

Appendix

- A. OPDC Policy 404.010.009, Non-Discrimination and Harassment Free Workplace
- B. OPDC 404.010.017, Maintaining a Professional Workplace
- C. OPDC 404.010.716, Candidate Preference in Employment



Agency HR Policy

SUBJE	NON-DISCRIMINATION, AND HARASSMENT-FREE	NUMBER:
DIVISION: 08/29/2022		EFFECTIVE DATE:

POLICY STATEMENT: OPDS provides a work environment free from unlawful discrimination or workplace harassment based on or because of an employee's protected class status as defined by statute.

AUTHORITY: ORS 151.216(i), ORS Chapter 659A

APPLICABILITY: All OPDS Employees regardless of status

ATTACHMENTS: None

DEFINITIONS: **Protected classes:** as defined by state and federal law include: race, color, religion, gender (including pregnancy), national origin, age (18 or older), disability, genetic information, physical or mental disability, injured worker, a person who uses leave covered by the Oregon Family Leave Act, marital status, family relationship, sexual orientation, whistleblower, expunged juvenile record, gender identity, and any other protected class as defined by state law.

Unlawful discrimination: discrimination in any employment practices based on a person's protected class.

Harassment: unwelcome conduct that is based on a person's protected class. Harassment becomes unlawful when an employee must endure the offensive conduct as a condition of continued employment, or the conduct is pervasive or severe enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

POLICY:

- I. OPDS requires that all employees cooperate fully to ensure the fulfillment of this policy in all actions and decisions including, but not limited to:
 - a. Hiring, placement, promotion, transfer, and discharge;
 - b. Recruitment, advertising, or solicitation for employment;
 - c. Compensation and benefits; and
 - d. Selection for training
- II. OPDS will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified applicant or employee, unless an undue hardship would result. Any applicant or employee who requires an accommodation in the hiring process or to perform the essential functions of a job should contact the HR Manager.
- III. All employees shall work in an environment where the dignity of each individual is respected. Harassment, unwelcome, unwanted, or offensive conduct, based on or because of an employee's protected status under this policy is prohibited.



Agency HR Policy

SUBJE	MAINTAINING A PROFESSIONAL	NUMBER:
DIVISION:	EFFECTIVE DATE:	
APPROVED: Signature on file with the Human		

POLICY STATEMENT: Mutual respect between and among managers, employees, temporary employees and volunteers is integral to the efficient conduct of business within Oregon state government. All individuals work together to create and maintain a work environment that is respectful, professional and free from inappropriate workplace behavior.

AUTHORITY: ORS 151.216(i)

APPLICABILITY: All employees regardless of status

ATTACHMENTS: None

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

Inappropriate Workplace Behavior: Unwelcome or unwanted conduct or behavior that causes a negative impact or disruption to the workplace or the business of the state, or results in the erosion of employee morale and is not associated with an employee's protected class status. 1 (Refer to State HR Policy 50.010.01, Discrimination and Harassment Free Workplace, for guidance on issues involving protected class status.)

Examples of inappropriate workplace behavior include, but are not limited to, comments, actions or behaviors of an individual or group that embarrass, humiliate, intimidate, disparage, demean, or show disrespect for another employee, a manager, a subordinate, a volunteer, a customer, a contractor or a visitor in the workplace. Inappropriate workplace behavior does not include actions of performance management such as giving supervisory instructions, setting expectations, giving feedback, administering disciplinary actions, or conducting investigatory meetings. Inappropriate workplace behavior does not include assigned, requested or unsolicited constructive peer feedback on projects or work.

POLICY:

- I. Employees of all service types, temporary employees and volunteers, at every level of the agency, must foster an environment that encourages professionalism and discourages disrespectful behavior. All employees, temporary employees and volunteers must behave respectfully and professionally and refrain from engaging in inappropriate workplace behavior.
- II. Addressing Inappropriate Workplace Behavior
 - a. Supervisors must address inappropriate behavior they observe or experience and should do so as close to the time of the occurrence as possible and appropriate.
 - b. If an employee, temporary employee or volunteer observes or experiences inappropriate workplace behavior, the employee should do one or both of the following if they are comfortable in doing so:
 - i. Redirect inappropriate conversations or behavior to workplace business.
 - ii. Tell the offending employee, temporary employee or volunteer their behavior is offensive and ask them to stop.
- III. Reporting Inappropriate Workplace Behavior
 - a. An employee, temporary employee or volunteer should report

inappropriate workplace behavior they experience or observe, to their immediate supervisor, another manager, the agency, board, or commission's human resources section, executive director, chair, or the DAS Chief Human Resources Office, as soon as is practical.

i The report may be made orally or in writing.

ii An oral or written complaint should contain the following:

- The names of all parties involved, including witnesses.
- A specific and detailed description of the conduct or action the employee believes is inappropriate workplace behavior.
- The date or time period in which the alleged conduct occurred.
- A description of the desired remedy.

b. If past practice exists in the agency, an employee represented by a labor union may have a union representative present during regular work hours when reporting inappropriate workplace behavior and throughout the process set forth in this policy.

IV. Responding to a Report of Inappropriate Workplace Behavior

Inappropriate workplace behavior must be addressed and corrected before it becomes pervasive, causes further workplace disruption, or lowers morale. Unless the agency decides otherwise, the supervisor of the individual allegedly engaging in inappropriate workplace behavior must address the report as soon as possible.

V. Consequences

- a. Any employee found to have engaged in inappropriate workplace behavior will be counseled, or depending on the severity of the behavior, may be subject to discipline up to and including dismissal.
- b. An employee in trial service found to have engaged in inappropriate workplace behavior may be removed from trial service.
- c. An employee in a limited duration or temporary appointment or a volunteer found to have engaged in inappropriate workplace

behavior will be counseled, or depending on the severity of the behavior, may have their appointment or service terminated.

- d. A supervisor who fails to address inappropriate behavior will be counseled, or depending on the severity of the behavior, may be subject to discipline up to and including dismissal.

VI. Retaliation

Retaliating against someone for reporting or addressing inappropriate workplace behavior is prohibited. An employee who believes they are experiencing retaliation as a result of reporting inappropriate behavior should report it to their immediate supervisor as soon as is practical. ³ The agency will investigate reports of retaliation. Any employee found to have engaged in retaliation may be subject to discipline up to and including dismissal. An employee in trial service found to have engaged in retaliation may be removed from trial service. An employee in a limited duration or temporary appointment or a volunteer found to have engaged in retaliation may have their appointment or service terminated.

VII. Policy Notification All employees, including temporary employees and volunteers, will:

- a. Be given a copy or told the location of State HR Policy 50.010.03, Maintaining a Professional Workplace, by the agency.
- b. Be directed to read the policy.
- c. Be provided an opportunity to ask questions and have their questions answered.
- d. Acknowledge having read the policy and having had the opportunity to ask questions.
 - i. The agency decides the form of the acknowledgement, such as electronic, signed, or other documented acknowledgment.
 - ii. The agency may create and offer training as it deems necessary.



Agency HR Policy

SUBJE	CANDIDATE PREFERENCE IN	NUMBER:
DIVISION:		EFFECTIVE DATE:
APPROVED: Signature on file with the Human		

POLICY STATEMENT: Oregon state government applies preference to candidates in recruitment processes as outlined in law.

AUTHORITY: ORS 151.216(i); ORS 408.225 to 408.237

APPLICABILITY: All employees, including temporary employees, according to provisions of state law.

ATTACHMENTS: None

DEFINITIONS: None

POLICY:

I. An appointing authority or designee administers this policy as the agency's policy.

II. Complying with candidate preference is mandatory. An agency must apply the appropriate candidate preference as outlined below.

III. Veterans' Preference

A. Veterans' preference is applied whenever a competitive selection process is conducted including new hire, promotion, job rotation, developmental assignment, and temporary hires. Candidate preference is applied at every stage in the selection process.

B. Qualifying for veterans' preference

1. An agency awards veterans' preference points when an applicant:

2. Submits all required application materials and follows application instructions; and
 - i. Meets all minimum qualifications and special qualifications of the position; and
 - ii. Meets the requirements to qualify as a veteran or disabled veteran as defined by statute and submits military documents as verification:

Veterans (qualifying for a 5-percentage preference)

- (I) A copy of the Certificate of Release or Discharge from Active Duty (DD214 or 215), or a letter from the U.S. Department of Veterans Affairs indicating the applicant receives a non-service-connected pension; or
- (II) Submits a certification indicating the applicant is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification.

Disabled Veterans (qualifying for a 10-percentage preference)

- (III) A copy of form DD214 and a copy of a letter from the U.S. Department of Veterans Affairs indicating a disability rating unless the information is included on the DD214 or 215; or
- (IV) A copy of a letter from the U.S. Department of Veterans Affairs indicating the person is receiving service-connected compensation; or
Submits a certification indicating the applicant is expected to be medically separated from active duty under honorable conditions not later than 120

days after the submission of the certification.

3. For veterans' preference to apply, the agency must receive the military documents normally at time of application but no later than at the time of interview. Military documents should be submitted through the E-Recruit system.
4. Preference is applied when an unscored method, such as a pile system, is used.
5. Once an agency awards veteran preference and records it in the E-Recruit system, the military documents do not need to be submitted again.

C. Screening veteran candidates

- a. The hiring agency considers all of the following when determining the skills and attributes of the veteran applicant:
 - i. Education
 - ii. Work experience
 - iii. Relevant life experience, i.e., experience where skills and attributes are obtained through unpaid activities such as volunteering or participating in an association or committee
 - iv. Transferable skills, i.e., including skills obtained through military education or experience that substantially relate, directly or indirectly, to the position.
- b. The hiring agency screens only for skills and attributes listed in the job posting.
- c. The veteran must provide sufficient evidence in the requested application materials for the hiring agency to determine if the veteran possesses the qualifications, skills and attributes for the position.

D. Interviewing veteran candidates

- a. The hiring agency interviews all veteran candidates who:

- (i) Meet the evaluation criteria for an interview to be granted (after application of veteran's preference) as determined by the hiring agency; or
 - (ii) Meet all the required and requested skills and attributes listed in the job posting.
 - (iii) If the veteran candidate does not meet criteria in (i), the agency must review the veteran's application materials for(ii).
- b. The hiring agency must document the reason if a veteran is not selected for an interview.
 - c. Veterans from a pre-qualified list established by pre-employment tests who will be considered for hire from a ranked order do not have to be interviewed. Pre-qualified lists are typically established by law enforcement and fire protection agencies.
- E. Applying veterans' preference throughout the selection process
- a. Veterans' preference is applied at each stage of the selection process, including but not limited to an interview.
 - b. A stage in the process occurs when two or more applicants are compared and one or more applicants are rejected for the position.
 - c. Veterans' preference is applied on reference checks used as a tie-breaker or to distinguish between candidates. Veterans' preference does not apply when reference checks are conducted only on a top candidate to ensure suitability.
 - d. The hiring agency may use a scored or unscored evaluation method.
 - (i) Scored evaluation method
 - The applicable percentage (5 or 10) is calculated based on the total score possible and added to the applicant's total points
 - (ii) Unscored evaluation method

- (I) Veterans will advance one level and disabled veterans will advance two levels.
- (II) The hiring agency may choose the number of levels or rankings and define the levels and rankings such as:
 - a. Sorting levels or piles (for example, "highly desirable," "substantially desirable," "moderately desirable," "possibly desirable," "not desirable")
 - b. Ranking (comparing a candidate's skills and attributes to another candidate)
 - e. The hiring agency may choose the evaluation criteria such as:
 - i. Strengths and weaknesses
 - ii. Competencies (skills and attributes)
 - iii. Responses to interview questions
 - f. The hiring agency must define and document the evaluation method and criteria.

F. Selection

- a. An agency appoints a veteran applicant if at the final stage of the selection process the veteran is ranked equal to or higher than a non-veteran candidate.
- b. A disabled veteran will be appointed over a veteran when deemed equal at the final stage of the selection process.

G. Veterans' rights

- a. A veteran applicant who is not appointed to a position may make a written request for an explanation from the hiring agency.
- b. The hiring agency must provide the reasons for not appointing the veteran, in writing.