



# Affirmative Action Plan

## 2023-2025 Biennium



This document was prepared by  
Oregon Department of Environmental Quality  
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### **Non-discrimination statement**

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

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# Oregon

Tina Kotek, Governor

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May 08, 2023

Becca Uherbelau

Affirmative Action Manager  
Office of Governor Tina Kotek  
900 Court Street NE, Suite 254  
Salem, OR 97301

Dear Becca,

Enclosed is DEQ's 2023-2024 draft Affirmative Action Plan. This plan illustrates progress the agency has made toward meeting the actions in the 2021-2023 Affirmative Action Plan. It also outlines two significant goals the agency will focus on in the coming biennium. These include recruitment and retention, and how the agency will work toward meeting those goals.

Specifically, the agency will focus on increasing staff from underrepresented groups and will work to increase retention of staff, particularly those who identify as Black, Indigenous and People of Color. Agency leadership understands we cannot focus solely on bringing people into the agency but must care for and support those who already are employed at DEQ. The agency is committed to being an organization grounded in principles of diversity, equity, inclusion and belonging to ensure people feel safe and protected while working for the agency, and as well as being their full, authentic selves.

The Affirmative Action Plan reflects DEQ's commitment to equal opportunity and affirmative action in employment and public service consistent with all applicable federal and state laws. The plan is a living document, which will be measured, evaluated and adapted to meet the needs of the agency.

If you have any questions about the plan or want more information, please contact me at (503) 229-5300 or Willa Wilbanks, our agency Affirmative Action Representative at (503) 229-6441.

Sincerely,

Leah K. Feldon Director

Enclosure

# Section 1: Department of Environmental Quality Description

## Agency affirmative action policy

The Department of Environmental Quality is committed to a policy and practice of Equal Employment Opportunity, from recruitment through the end of the employment relationship. DEQ respects its applicants and employees and does not discriminate based on race, religion, national origin, age, gender, sexual orientation, marital status, disability, or veteran's status.

DEQ is committed to Oregon's public policy that "all branches of State government shall be leaders" in affirmative action. DEQ's leaders, administrators and managers are responsible for the success of affirmative action programs within the agency and actively support recruitment and career development programs to achieve these goals.

DEQ leadership measures its performance in achieving affirmative action and diversity, and this aspect of performance is a key part of our regular reviews of managers and administrators. Support for diversity and non-discrimination is contained in the position descriptions of all the agency's managers.

DEQ employees must promote a work climate reflecting respect, care, and concern for every individual and welcome diversity into the workplace. Only by embracing the variety of cultures within Oregon, can DEQ provide the best possible service to community members and to the state of Oregon. DEQ continues to strive to improve the lives of those living within its borders and will continue to improve as the agency moves forward.

DEQ believes diversity makes good business sense, The Affirmative Action Plan identifies goals that will help develop and maintain a workforce that reflects Oregon's demographics, encourages career development and employee advancement, and provides employees with the tools necessary to serve a more diverse customer base. DEQ will not conduct business with any bidder, contractor, subcontractor, or supplier of materials who discriminates against members of any protected class.

DEQ's Affirmative Action Plan is posted on the agency's internal website and available upon request from the Human Resources office, the Office of the Director and from each division administrator. Additionally, the plan is posted on bulletin boards at all DEQ work locations.

All job announcements and advertisements state "Candidates from diverse backgrounds are encouraged to apply. The Oregon Department of Environmental Quality is an equal opportunity employer and does not discriminate based on race, color, national origin, ethnicity, veteran, gender, sexual orientation, religion, age or disability, and is committed to workplace diversity."

## Mission statement

The Oregon Department of Environmental Quality's (DEQ) mission is to be a leader in restoring, maintaining, and enhancing the quality of Oregon's air, land, and water.

## DEQ values

DEQ works collaboratively with Oregonians for a healthy, sustainable environment, accomplishing its mission through a variety of activities including permitting, inspections, spill response, and by minimizing individual impacts on the environment.

In 2015, DEQ adopted five strategic goals to guide the agency's actions to ensure that overall quality of life, from human health to the state's economy, is supported by a healthy and productive environment. DEQ is developing a new strategic plan and goals that will include a strong focus on equity and racial justice. The 2015 goals include:

- Efficiently and responsibly meet environmental standards and emerging needs
- Sustain a diverse, outcome-oriented workforce and culture
- Provide easy access to information and services
- Maintain informed and engaged relationships with tribes and Oregon's communities
- Sustain strong, effective internal business practices

The DEQ leadership team charter's principles, beliefs, and covenants state:

- We will create, model, and sustain a work environment that values diversity/inclusion in decision-making and service delivery.
- We will set clear guidelines for expected behavior and clear methods for reporting inappropriate behavior.
- We will utilize diversity within the workforce by incorporating diverse perspectives into business and service delivery decisions.
- We will strive for equal protection from environmental and health hazards and ensure meaningful participation in decisions that affect the environment in which people live, work, practice spirituality and play.

The Environmental Quality Commission, DEQ's policy and rule-making body, is a five-member panel appointed by the governor to adopt rules, establish policy, issue orders, judge appeals of fines or other agency actions, and appoint the agency's director. Commissioners serve four-year terms and are eligible for reappointment to serve no more than two consecutive terms.

DEQ staff use a combination of technical assistance, inspections, enforcement, voluntary programs, and permitting to help public and private facilities and communities understand and comply with state and federal environmental regulations.

DEQ staff consists of environmental specialists, scientists, engineers, technicians, inspectors,

program and policy staff, and operations support staff. The agency has offices throughout the state, in cities including Bend, Coos Bay, Eugene, Klamath Falls, Medford, Pendleton, Portland, Salem, The Dalles, and Tillamook. DEQ also operates a laboratory in Hillsboro and vehicle inspection stations in Clackamas, Jackson, Multnomah, and Washington counties.

In addition to state programs, DEQ administers federal environmental programs with oversight from the [US Environmental Protection Agency](#). This includes the federal Clean Air and Clean Water Acts, and the Resource Conservation and Recovery Act, which covers waste management and underground storage tank programs. DEQ also implements state programs including recycling, groundwater protection, air toxics, emergency response, and environmental cleanup activities.

DEQ relies on several advisory committees of the public, industry representatives, environmental advocates, and government officials to help guide its decision-making.

## **Affirmative Action Plan contacts**

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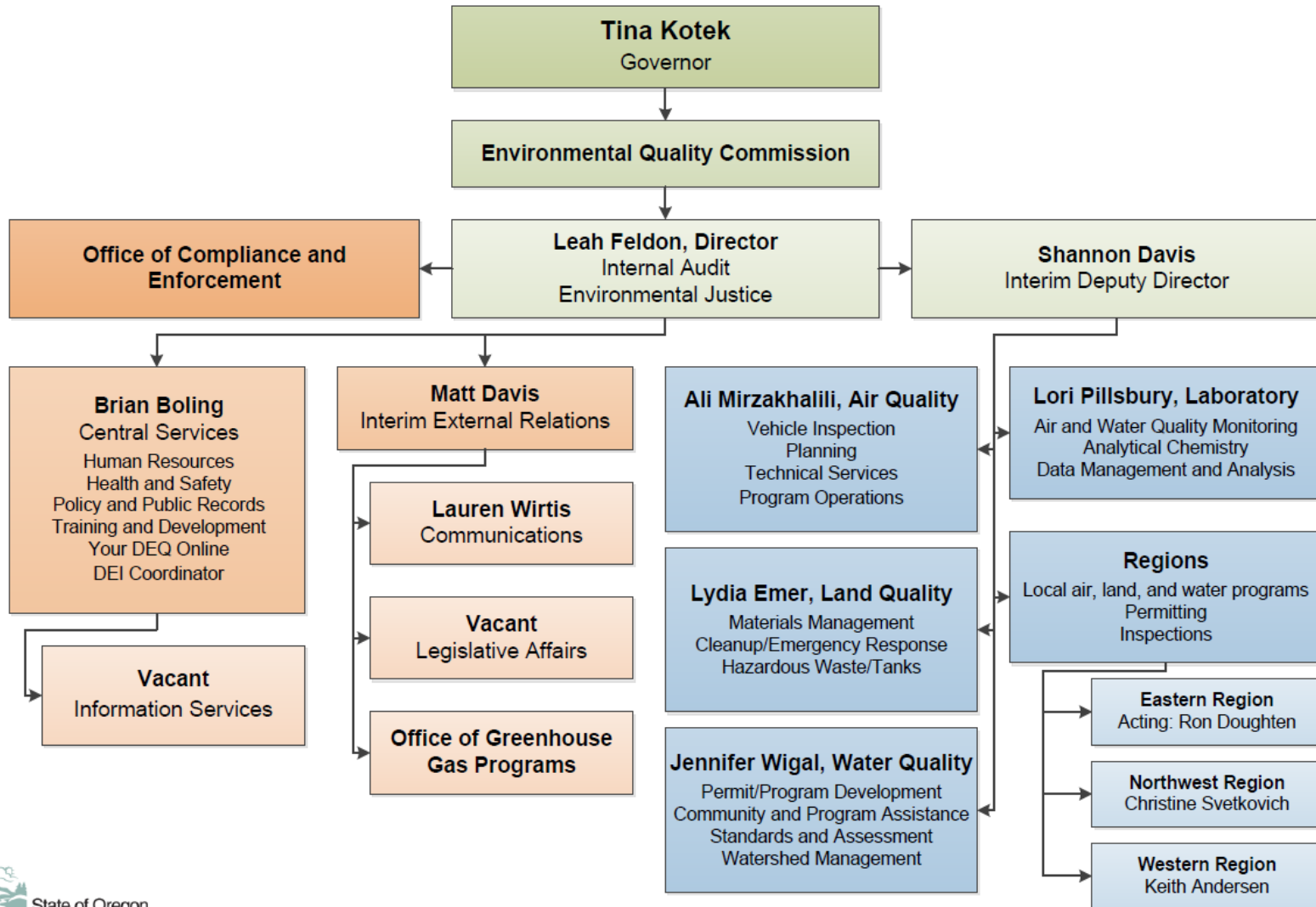
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#### **Lisa Tran, Contracts Specialist Lead**

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# Oregon DEQ organizational chart

Oregon Department of Environmental Quality  
**Leadership Team Organization**





# Section 2: Affirmative Action Plan

## Progress on 2021-2023 Affirmative Action Plan

### Strategy one

To increase representation of historically marginalized and underrepresented communities in DEQ's workforce.

### Progress

DEQ had numerous strategies to increase recruitment for individuals from underrepresented categories in the 2021-2023 biennium plan, which are listed below. Progress was made on several strategies, listed below:

### Goals

1. Launch recruitment project to review and improve recruitment and selection practices.

DEQ completed Recruitment 1.0, a project aimed at documenting and standardizing agency policies and procedures associated with recruitment and interviews, including developing an interview script, interview guidelines, and implementing a scored interview process. In October 2022, the agency embarked on a Recruitment and Retention project 2.0 as a result of completing project 1.0 with the goal of grounding agency organizational policies and practices associated with hiring, recruitment, and retention, in DEI principles. Results of the recruitment and retention project will be published in the next biennium Affirmative Action Plan.

2. Submit DEQ job announcements to associations and trade groups comprised of people of color, women, the disabled, and/or veterans for the purpose of advertising DEQ positions to their respective membership.

DEQ is now posting all opportunities to Partners in Diversity, Engaging Local Government Leaders, Governmentjobs, and Handshake. As well, DEQ posts job opportunities on job boards at National Congress of American Indians and Vetjobs when these job boards are available to process our posting requests.

Lack of progress was due to numerous factors, for example the COVID-19 pandemic, which took a significant toll on staff capacity and mental health. The pandemic made logistics around certain strategies listed in the plan no longer feasible or practical, for example for DEQ to have an in-person presence at career fairs aimed at attracting more diverse talent. Additionally, DEQ did not yet have formal staff dedicated to DEI work at the time of the previous biennium plan.

Since the previous biennium, DEQ has hired two full-time staff dedicated to DEI work (DEI Coordinator and DEI Analyst) who will be working to implement the goals and strategies listed in this biennium plan.

The DEI Coordinator position was filled December of 2021, however, DEQ acknowledges that it had not structured the position for success and the incumbent left the agency in January of 2023 due to frustrations with power dynamics, lack of positional structure and clarity, lack of support, and the agency's overall conflict-averse culture.

The DEI Analyst position is currently filled as a job rotation. Additional work is underway to better define what the long-term position duties are including a classification review of the position.

Finally, DEQ has not yet implemented robust tracking systems to appropriately document progress for some of these strategies, thus is it difficult to report on progress or declare success.

## Data analysis

### Agency demographics

The following tables starting on page 8 show changes in agency demographics between June 30, 2021, and June 30, 2022. Note that staff reporting of Affirmative Action statistics is voluntary. Thus, statistics listed in the following tables may not accurately reflect the actual diversity of the agency.

#### Key findings of the data:

- DEQ made progress in staff demographics in racial categories since the last biennium. BIPOC representation increased in all categories, while white representation declined.
- DEQ staff demographics are not representative of the diversity of the state of Oregon, particularly around Hispanic representation. **Only 2.4% of DEQ staff identify as Hispanic** compared to 14% of Oregonians as identified in the 2021 Oregon Census data.
- DEQ supervisors/management demographics are not representative of the diversity of the state of Oregon. **81.1% of DEQ managers identify as White.** Meanwhile, there are currently no DEQ supervisors/managers who identify as Black/African American; Hispanic; Native Hawaiian/Other Pacific Islander; or two or more races.

Overall Agency Demographics (staff and managers/supervisors) As of **June 30, 2021**

Racial Category	Female		Male		Total	
	Actual	Percent	Actual	Percent	Actual	Percent
American Indian/Alaska Native	1	0.30%	4	1.00%	5	0.70%
Asian	28	8.70%	30	5.20%	48	6.80%
Black/African American	9	2.80%	5	1.30%	14	2.00%
Hispanic	7	2.20%	10	2.60%	17	2.40%
Native Hawaiian/Other Pacific Islander	1	0.30%	1	0.30%	2	0.30%
Two Or More Races	13	4.00%	11	2.80%	24	3.40%
White	233	72.60%	301	78.00%	534	75.40%
I do not wish to answer	29	9.00%	34	8.80%	63	8.9%
<b>Total</b>	<b>321</b>		<b>386</b>		<b>707</b>	

Overall Agency Demographics (staff and managers/supervisors) As of **June 30, 2022**

Racial Category	Female		Male		Total	
	Actual	Percent	Actual	Percent	Actual	Percent
American Indian/Alaska Native	2	0.60%	4	1%	6	0.80%
Asian	30	8.70%	22	5.60%	52	7.00%
Black/African American	10	2.90%	6	1.50%	16	2.10%
Hispanic	11	3.20%	12	3.10%	23	3.10%
Native Hawaiian/Other Pacific Islander	1	0.30%	2	0.50%	3	0.40%
Two Or More Races	15	4.30%	12	3.10%	27	3.60%
White	244	70.50%	300	76.50%	544	72.80%
I do not wish to answer	33	9.50%	34	8.70%	67	9.00%
<b>Total</b>	<b>346</b>		<b>392</b>		<b>738</b>	

Agency Manager/Supervisor Demographics as of **June 30, 2021**

Race/Ethnicity	Percent	Number
Asian (United States of America)	4.2%	3
I do not wish to answer. (United States of America)	15.5%	11
White (United States of America)	80.3%	57
<b>Total</b>	<b>100.0%</b>	<b>71</b>

Agency Manager/Supervisor Demographics as of **June 30, 2022**

Race/Ethnicity	Percent	Number
American Indian or Alaska Native (United States of America)	1.4%	1
Asian (United States of America)	2.7%	2
I do not wish to answer. (United States of America)	14.9%	11
White (United States of America)	81.1%	60
<b>Total</b>	<b>100.0%</b>	<b>74</b>

Agency Staff by Gender as of **June 30, 2021**

Gender (Binary Options)	Actual	Percent	All	Percent
Male	386	54.60%	1	1.90%
Female	321	45.40%	2	3.70%
<b>Total</b>	<b>707</b>	<b>100.00%</b>	<b>0</b>	<b>0.00%</b>

Agency Staff by Gender as of **June 30, 2022**

Gender (Binary Options)	Actual	Percent	All	Percent
Male	392	53.10%	1	1.90%
Female	346	46.90%	2	3.70%
<b>Total</b>	<b>738</b>	<b>100.00%</b>	<b>0</b>	<b>0.00%</b>

Agency Staff by Disability Status as of **June 30, 2021**

Disability Status	Actual	Percent	All	Percent
No Reported Disability	692	97.90%	1	1.90%
Reported Disability	15	2.10%	2	3.70%
<b>Total</b>	<b>707</b>	100.00%	0	0.00%

Agency Staff by Disability Status as of **June 30, 2022**

Disability Status	Actual	Percent	All	Percent
No Reported Disability	723	98.00%	1	1.90%
Reported Disability	15	2.00%	2	3.70%
<b>Total</b>	<b>738</b>	100.00%	0	0.00%

Agency Staff by Veteran Status as of **June 30, 2021**

Race/Ethnicity	Actual	Percent	All	Percent
Not a Veteran	667	94.30%	1	1.90%
Veteran	40	5.70%	2	3.70%
<b>Total</b>	<b>707</b>	100.00%	0	0.00%

Agency Staff by Veteran Status as of **June 30, 2022**

Race/Ethnicity	Actual	Percent	All	Percent
Not a Veteran	691	93.60%	1	1.90%
Veteran	47	6.40%	2	3.70%
<b>Total</b>	<b>738</b>	100.00%	0	0.00%

Agency Hires as of **June 30, 2021**

Racial Category	Female	Male	All
American Indian/Alaska Native	0	1	1
Asian	3	1	4
Black or African American	3	0	3
Hispanic or Latino	1	3	4
Two Or More Races	2	3	5
White	23	19	42
I do not wish to answer	4	3	7
<b>Total</b>	<b>36</b>	<b>30</b>	<b>66</b>

Agency Hires as of **June 30, 2022**

Racial Category	Female	Male	All
American Indian/Alaska Native	1	1	2
Asian	5	3	8
Black or African American	2	2	4
Hispanic or Latino	4	3	7
Native Hawaiian or other Pacific Islander	0	1	1
Two Or More Races	2	2	4
White	42	48	90
I do not wish to answer	9	6	15
<b>Total</b>	<b>65</b>	<b>66</b>	<b>131</b>

Equal Employment Opportunity Staff Demographics by Job Category as of **June 30, 2021**

Race/Ethnicity	Administrative Support (Including Clerical Sales)		Officials and Administrators		Professionals		Service		Skilled Craft Workers		Technicians		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native (United States of America)	0.0%	0	1.6%	1	0.8%	4	0.0%	0	0.0%	0	16.7%	1	0.8%	6
Asian (United States of America)	8.4%	12	3.2%	2	7.0%	37	0.0%	0	0.0%	0	16.7%	1	7.0%	52
Black or African American (United States of America)	5.6%	8	0.0%	0	1.5%	8	0.0%	0	0.0%	0	0.0%	0	2.1%	16
Hispanic or Latino (United States of America)	4.2%	6	0.0%	0	3.2%	17	0.0%	0	0.0%	0	0.0%	0	3.1%	23
I do not wish to answer. (United States of America)	7.7%	11	12.7%	8	8.9%	47	0.0%	0	0.0%	0	16.7%	1	9.0%	67
Native Hawaiian or Other Pacific Islander (United States of America)	1.4%	2	0.0%	0	0.2%	1	0.0%	0	0.0%	0	0.0%	0	0.4%	3
Two or More Races (United States of America)	2.8%	4	0.0%	0	4.2%	22	0.0%	0	0.0%	0	16.7%	1	3.6%	27
White (United States of America)	67.1%	96	82.5%	52	74.2%	393	0.0%	0	100.0%	1	33.3%	2	72.8%	544
(Blank)	2.8%	4	0.0%	0	0.2%	1	100.0%	4	0.0%	0	0.0%	0	1.2%	9
<b>Total</b>	<b>100.0%</b>	<b>143</b>	<b>100.0%</b>	<b>63</b>	<b>100.0%</b>	<b>530</b>	<b>100.0%</b>	<b>4</b>	<b>100.0%</b>	<b>1</b>	<b>100.0%</b>	<b>6</b>	<b>100.0%</b>	<b>747</b>

Equal Employment Opportunity Staff Demographics by Job Category as of **June 30, 2022**

Race/Ethnicity	Administrative Support (Including Clerical Sales)		Officials and Administrators		Paraprofessionals		Professionals		Technicians		Total	
	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
American Indian or Alaska Native (United States of America)	0.0%	0	0.0%	0	0.0%	0	0.8%	4	20.0%	1	0.7%	5
Asian (United States of America)	10.3%	14	3.1%	2	0.0%	0	6.4%	32	0.0%	0	6.8%	48
Black or African American (United States of America)	5.1%	7	0.0%	0	0.0%	0	1.4%	7	0.0%	0	2.0%	14
Hispanic or Latino (United States of America)	4.4%	6	0.0%	0	0.0%	0	2.2%	11	0.0%	0	2.4%	17
I do not wish to answer. (United States of America)	7.4%	10	15.4%	10	100.0%	2	8.2%	41	0.0%	0	8.9%	63
Native Hawaiian or Other Pacific Islander (United States of America)	0.7%	1	0.0%	0	0.0%	0	0.2%	1	0.0%	0	0.3%	2
Two or More Races (United States of America)	2.9%	4	0.0%	0	0.0%	0	4.0%	20	0.0%	0	3.4%	24
White (United States of America)	68.4%	93	81.5%	53	0.0%	0	76.8%	384	80.0%	4	75.4%	534
(Blank)	0.7%	1	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.1%	1
<b>Total</b>	<b>100.0%</b>	<b>136</b>	<b>100.0%</b>	<b>65</b>	<b>100.0%</b>	<b>2</b>	<b>100.0%</b>	<b>500</b>	<b>100.0%</b>	<b>5</b>	<b>100.0%</b>	<b>708</b>

## Strategy two

Increase employee retention of Asian, Black/African American, Hispanic, Native Hawaiian/Other Pacific Islander, and those that identify with two or more races.

### Progress

DEQ had numerous strategies to increase retention for individuals from underrepresented categories in the 2021-2023 biennium plan, which are listed below. Progress was made on one strategy:

### Goal

1. Create employee resource groups

Since the last biennium, DEQ created five affinity groups:

- DEQ Pride (for the LGBTQIA2+ community)
- BIPOC staff (for staff who identify as Black, Indigenous and People of Color)
- BIPOC managers (for managers who identify as Black, Indigenous and People of Color)
- Veterans and Armed Services (for veterans, those currently in service and family members of veterans or those in service)
- Allies for Racial Justice (separate groups for staff managers who identify as White)

These affinity groups function like Employee Resource Groups at other organizations – they allow staff to connect around a shared identity, and members of affinity groups may devote 4 hours of paid time for affinity group participation per month. Currently, 203 members of DEQ staff/managers participate in at least one affinity group.

The COVID-19 pandemic affected staff retention, not just at DEQ, but at organizations across the state. According to the Oregon Department of Employment, about 5% of workers in the state said they had quit their jobs during the pandemic, while nearly 25% considered quitting their jobs. Pay, stress and burnout have long affected Oregonians including DEQ employees, and these issues were exacerbated during the pandemic.

It is important to name that the many strategies listed in the previous biennium plan aimed at improving staff retention were not developed through an inclusive or collaborative process. It is not clear that, for example, reinvigorating DEQ's employee engagement program, would make a significant impact on retention. In October 2022, the agency embarked on a Recruitment and Retention project with the goal of grounding agency organizational policies and practices associated with hiring, recruitment and retention, in DEI principles. The project will bring together diverse teams from across the agency to develop the scope of the project, identifying project deliverables based on the needs and desires of staff. Finally, as with Strategy 1, DEQ



can implement things like consistent exit interviews, to understand more specifically the reasons for staff departures, and begin to address those issues.

## **2023-2025 Affirmative action strategies and goals**

For the next biennium, DEQ will maintain its focus on the two broad goals of:

- 1) Increased recruitment of staff from underrepresented groups, and
- 2) Increased retention of staff, particularly those who identify as Black, Indigenous and People of Color.

The goals and strategies listed in DEQ's 2023-2024 final Affirmative Action plan will be developed based on the following key considerations:

### **1. Staff capacity**

Since the last biennium, DEQ created two full-time staff positions devoted to internal DEI work: a DEI Coordinator and a DEI Analyst (the DEI Coordinator position is currently vacant). In addition to these two staff positions, the agency now has a DEI Council, an advisory board made up of 13 individuals across DEQ across regions and media who devote 8 hours of paid time to DEI-related work per month. Finally, DEQ is working with Engage to Change, a Portland-based anti-racist consulting firm, for support around consulting, facilitation, and training.

Dedicated staff capacity for DEI work is an incredible step forward for the agency. However, there are still only two staff members fully devoted to this work. As such, it is important that DEQ select and commit to implementing fewer key high-impact strategies for advancing Affirmative Action for the next biennium, being mindful of realities of staff capacity, resourcing and other factors that can support the implantation of these strategies.

### **2. Data metrics**

DEQ must implement more robust data tracking, to establish benchmarks and track progress on DEI goal and strategies over time. Without sufficient data tracking, it is difficult to understand whether and how the agency is making progress towards our stated goals. As a foundation for the work of the next biennium, the agency will be working to understand the capacity of our current data tracking mechanisms, develop a list of desired metrics to track, and implement a system and/or new mechanisms to aid in data tracking. Possible data metrics that DEQ will ultimately track may include:

- Percentage of diverse candidates in the hiring pool, receiving interviews, asked to participate in a second interview, receiving offer letters, and accepting offer letters (list out the positions interviewed and pay scale offered)
- Percent of diverse candidates who were asked to participate in a second interview
- Percentage of diverse candidates who are promoted to an internal position

Qualitative data is also important to capture, for example the reasons for staff departures and resignations, which could be captured through exit interviews.

Significant information about the challenges and opportunities around DEI for the agency will be generated through an upcoming organizational assessment by anti-racist consultants from Engage to Change. This assessment kicked off in September 2022 and was completed June 2023. Engage to Change has shared a list of key recommendations for the agency with the final assessment. This list of recommendations will inform the goals listed in a revised Affirmative Action plan in the future.

### **3. Staff retention issues**

DEQ aspires to be a diverse agency, reflecting the diversity of the state of Oregon and the populations we serve. DEQ must not only prioritize recruitment of diverse candidates overall, but also – and potentially more importantly – prioritize retention. It is important that the agency unearth the complex reasons for staff departures and involve staff in generating ideas for interventions to improve the factors that are within control of the agency. Otherwise, DEQ will become a revolving door of diverse candidates, and will ultimately fail to develop and promote staff from diverse backgrounds to management positions.

As mentioned above, the agency embarked on a Recruitment and Retention project in October 2022 with the goal of grounding agency organizational policies and practices associated with hiring, recruitment, and retention, in DEI principles. The project will bring together diverse teams to examine organizational policies and recommend changes that will help improve recruitment and retention for all staff, in particular for individuals from underrepresented backgrounds. The goals identified through this project will inform the goals listed in the final Affirmative Action plan.

# Section 3: Complaint process

## Complaint process

DEQ has established procedures to receive, investigate, and act upon complaints of discrimination, workplace harassment, and sexual harassment. As such, the agency has adopted the statewide policy on Discrimination and Harassment Free Workplace (50-010-01). Applicants or current or former employees who experience or observe behavior they believe to be discrimination, harassment, or sexual harassment should make a report to Human Resources, a supervisor or manager, the agency director, or the Department of Administrative Services Chief Human Resources Office. Supervisors and managers who receive reports of discrimination or harassment must notify Human Resources or the agency director.

Complaints can be made verbally or in writing, including by email or the internal online anonymous complaint system “Speak Up, Speak Out” available on DEQ’s intranet page. Reports of discrimination, harassment, or sexual harassment are considered complaints and will be investigated thoroughly. The complaint should be brought forward as soon as possible after an incident occurs.

Administrators and supervisors refer allegations of conduct that they reasonably believe may constitute discrimination or harassment to the Human Resources Manager, Employee Relations Consultant or Human Resources liaison. All complaints will be investigated by the appropriate human resources representative, and corrective action will be taken when appropriate.

The designated human resources representative will:

- Acknowledge receipt of complaint when complainant is known
- Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings
- Inform all involved that retaliation is not allowed
- Create, gather and maintain investigation documents
- Disclose appropriate information to others only on a need-to-know basis consistent with state and federal law, state and agency policies
- Take appropriate action to resolve the complaint
- Assign training, if appropriate
- Strive to respond to and resolve matters within 60 days of report
- Notify complainant that the investigation is complete

Other options available for applicants or current or former employees to file a complaint of discrimination, harassment, or sexual harassment include filing a grievance in accordance with the Collective Bargaining Agreement or filing a complaint with the Bureau of Labor and Industries, Equal Employment Opportunity Commission, or United States Department of Labor.

An individual with a complaint against the agency director may file a complaint with the Governor's Office of Diversity and Inclusion at:

Governor's Office of Diversity & Inclusion/Affirmative Action  
255 Capitol Street NE, Suite 254  
Salem, OR 97301  
503-986-6524

# Section 4: Governing policies

## AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY

<b>Policy Number 090.001.2009</b>	
<b>Effective Date: December 23, 2009</b>	<b>Next Scheduled Revision Date: July 1, 2011</b>
<b>Approval:</b> <b>Kerri Nelson (signature on file)</b>	<b>Title:</b> <b>MSD Administrator</b>

Intent/Purpose/ Statement of Need	This policy implements the federal and state law requiring government agencies to engage in affirmative action in hiring and retaining people of color, women, veterans, and persons with disabilities.
Authority	Oregon Revised Statutes, Chapter 182 (Affirmative Action) <a href="http://www.leg.state.or.us/ors/182.html">http://www.leg.state.or.us/ors/182.html</a>
Applicability	All DEQ employees.
<b>POLICY</b>	
General	The Department of Environmental Quality (DEQ) is strongly committed to a policy and practice of <u>Equal Employment Opportunity</u> , i.e., a policy of non-discrimination at all levels and in all aspects of the agency's operations. From recruitment to termination, DEQ respects its applicants and employees and does not discriminate based on race, religion, national origin, age, gender, sexual orientation, marital status, disability, veterans status, or any other factor not related to job performance.
Equal Opportunity and Affirmative Action Statement	A policy of equal employment opportunity will not necessarily result in a workforce that includes appropriate representation of women, minorities, and people with disabilities in all job classifications. <u>Affirmative Action</u> provides active, assertive, and positive steps for eliminating the intended or unintended effects of past and present discrimination in the workplace. Because DEQ believes diversity makes good business sense, its Affirmative Action Plan identifies goals that will help develop and maintain a workforce that reflects the demographics of Oregon; encourages career development and employee advancement; and provides employees with the tools necessary to serve a more diverse customer base. DEQ will not knowingly conduct business with any bidder, contractor, subcontractor, or supplier of materials who discriminates against members of any protected class.

	The DEQ Affirmative Action Plan has been developed to ensure implementation of Agency policy, and becomes effective July 1, 2009.
Implementation	Implementation of the Affirmative Action Plan is the responsibility of the director, Dick Pedersen, the affirmative action officer, Sid Moore, and each one of DEQ's managers. Each DEQ employee is expected to promote a work climate reflecting respect, care, and concern for every individual. Each employee is responsible for creating and maintaining a harassment-free environment. Managers and employees are expected to work together to eliminate and prevent any such discrimination.
Complaint Procedures	Individuals who believe they might have been discriminated against in any way may file a complaint with the director, Human Resource manager, or any of the other offices or agencies referred to in DEQ's Affirmative Action Plan. All complaints will be taken seriously. Investigations will be conducted by the appropriate manager and/or Human Resources representative, and corrective action will be taken when appropriate.
Manager Responsibilities	DEQ is strongly committed to Oregon's public policy that "all branches of State government shall be leaders" in the area of affirmative action. DEQ managers are directly responsible for the success of affirmative action programs within the agency, and are expected to actively support recruitment and career development programs to achieve these goals. Support for diversity and non-discrimination are contained in the position descriptions of all the agency's managers, and are considered in reviewing manager performance. Increases in discrimination or harassment complaints will be addressed through the performance management process.
Availability	Copies of DEQ's Affirmative Action Plan are available on demand in the Human Resources office, the Office of the Director, and with each division administrator in the agency. A link to the plan is posted on the agency's internal and external web pages, on AFSCME's public bulletin board, located in the cafeteria at headquarters, and in a central and public location in each of the regional offices.
Violation of policy	Violators of this policy will be subject to discipline up to and including termination from employment. Discipline and discharge procedures will adhere to the concept of progressive discipline.
Definitions	Affirmative Action—a method of eliminating the effects of past and present discrimination, intended or unintended, on the basis of race, religion, national origin, age, sex, marital status or physical or mental disabilities, that are evident or indicated by analysis of present appointment patterns, practices and policies by taking active steps to recruit and retain members of the various protected classes.

	<p>Individual with a Disability—any individual with one or more medical conditions which substantially limit one or more major life activities.</p> <p>Person of Color—any member of one or more underrepresented racial or ethnic groups, as defined under “affirmative action.”</p> <p>Veteran –a person who:</p> <p>(A) Served on active duty with the Armed Forces of the United States:</p> <p>(i) For a period of more than 178 consecutive days and was discharged or released from active duty under honorable conditions;</p> <p>(ii) For 178 days or less and was discharged or released from active duty under honorable conditions because of a service-connected disability; or</p> <p>(iii) For at least one day in a combat zone and was discharged or released from active duty under honorable conditions; or</p> <p>(B) Received a combat or campaign ribbon for service in the Armed Forces of the United States.</p>
History	<p>Agency Affirmative Action Plan effective: July 1, 2009</p> <p>Agency Affirmative Action Policy effective: December 23, 2009 (Policy taken directly from Plan for separate posting)</p>
Attachments	<p><a href="#">DEQ Affirmative Action Plan</a> (scroll down page to Diversity heading, then click on Affirmative Action)</p>

## Education and Training

<b>Policy Number: 090.007.2020</b>	<b>Version: 8</b>
<b>Effective Date: April 1, 2020</b>	<b>Next Scheduled Revision Date: As needed</b>
<b>Approval:</b> <b>Brian Boling (signature on file)</b>	<b>Title:</b> <b>CSD administrator</b>

Intent/Purpose/ Statement of Need	<p>DEQ is committed to providing employees with opportunities to increase skills in their current position and encourage career development and planning. Both the <a href="#">Governor’s Balanced Budget Benchmarks</a> and <a href="#">Department of Administrative Services policy</a> require that at least 50 percent of an agency’s employees receive a minimum of 20 hours of training per year and that each employee have a development plan in place. To support and promote employee growth, DEQ has established a practice that all employees</p>
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	will develop a training plan annually in conjunction with their manager. Further, DEQ has established an outcome-based management target of all employees receiving at least 20 hours of training annually.
Authority	ORS.240.145(3)(4); 240.250; 240.551; OAR 839.020.0044(7); <a href="#">Oregon Benchmarks</a> ; DAS Policy 50.045.01; State of Oregon/DAS/AFSCME/DEQ Collective Bargaining Agreement
Authority	Central Services Division
Applicability	Except as noted, this policy applies to all DEQ employees, including temporary employees.
Agency commitment to education and training	It is important to DEQ that the agency maintain and promote a well trained workforce. DEQ is committed to providing opportunities for all employees to receive and attend training. Education and training will be made available to employees without regard to race, color, religion, gender, gender identity, national origin, age, sexual orientation, or mental or physical disability.
Roles and responsibilities	<p>Having a well trained workforce is a fundamental responsibility of every DEQ employee, regardless of position within the agency. Specific responsibilities include:</p> <p>Agency leadership</p> <ul style="list-style-type: none"> <li>• Strategic alignment of policy with agency planning; diversity, inclusion and equity goals; workforce development goals; and technology changes.</li> <li>• Provide resources to support effectiveness of this policy.</li> <li>• Holding managers accountable for ensuring that staff have updated training plans and receive 20 hours of training per year.</li> </ul> <p>Workforce development coordinator: and Organizational and Training Development Consultant</p> <ul style="list-style-type: none"> <li>• Track training denials and provide either a summary or copy</li> </ul>



	<p>of the denials to the Labor Management Committee annually.</p> <ul style="list-style-type: none"> <li>• Promote the career development program and available training opportunities.</li> <li>• Offer consultation with individual staff members regarding career development.</li> </ul> <p>Manager</p> <ul style="list-style-type: none"> <li>• Annually review and approve training plans during annual review process.</li> <li>• Quarterly review training plan and goals with staff.</li> <li>• Provide assistance in identifying appropriate training opportunities for staff.</li> <li>• Document training denials in writing within 15 days of the training request submittal to both the employee and Workforce Development Coordinator. Reasons for training denial may include, but are not limited to, budget constraints, workload, or other operational reasons.</li> <li>• Support employees' job-related training goals, career planning and implementation of career development plans.</li> </ul> <p>Employee</p> <ul style="list-style-type: none"> <li>• Identify and request job-related and skill building training opportunities.</li> <li>• Participate in updating of annual training plan and periodically update and request approval of training plan.</li> <li>• Quarterly, review training plan and goals with manager.</li> <li>• Enter completed training into iLearn.</li> </ul>
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POLICY	
Applying for training	<p>Employees share responsibility for identifying, researching and applying for training, education, and career development opportunities and are encouraged to discuss their career goals with their supervisors. DEQ expects all employees to have a training plan on file that will at minimum address core training and job-related education. To apply for the training listed on the plan, employees must follow the established DEQ procedure for requesting training. See procedure in the attachment section of this policy.</p>

<p>Training opportunities</p>	<p>DEQ will provide training, education and career development opportunities for all employees when possible. Examples of opportunities include, but are not limited to, job-related and career development training, participation in conferences and workshops, job rotations, mentorships, job shadowing, self-paced training (such as online training and study guides) and special assignments.</p>
<p>Core training</p>	<p>Core training is required for all positions at DEQ and includes trainings that cover topics such as new employee onboarding, universal and job-specific safety, state and DEQ policy training (including Maintaining a Professional Workplace) and training on equipment and technology necessary for internal and external communication and job performance.</p> <p>Core training is paid 100 percent with program funds. All core training is completed during work hours. Time spent in training outside regular working hours at a study course required for certification is on the employee’s own time and would be unpaid (OAR 839.020.0044(7)).</p> <p>All new managers will complete identified DAS management courses within six months of hire. If the DAS management courses are not available, DEQ’s Central Services Division administrator will work with DAS to identify relevant and appropriate training for the new managers to take within six months of hire.</p>
<p>Job-related training</p>	<p>Job-related training is defined as training that helps employees perform better in their current position. Examples of job-related training include specialized software, grant writing, inspection training, effective communication, etc. All DEQ employees are eligible for job-related training.</p> <p>Classes, seminars, or workshops and fees and books pertaining to job-related training will be paid 100 percent with program funds. Any books purchased in conjunction with such training are agency property. Attendance should take place during work hours.</p>
<p>Career development</p>	<p>Career development education is future focused and meant to be in service of expanding or enhancing of one’s career prospects. All</p>

<p>education and tuition reimbursement</p>	<p>regular and limited duration employees are eligible for career development education. Trial service employees and temporary employees are not eligible to participate. Employees who have had a disciplinary action of a salary reduction or higher within the last year may not be eligible to participate.</p> <p>Career development education is reimbursed from program funds. Approval for funding is contingent on available funding and resources. Employees must obtain authorization from their manager and file an approved Career Development Plan with the Agency Organizational Development and Training Consultant prior to enrolling in a course in order to receive reimbursement for career development education. Based on available funding, up to 75 employees agency wide may participate in the Career Development program at any given time. Attendance and training for career development education must be completed on the employee's own time and not during work hours.</p> <p>Career Development Plans shall be completed within three consecutive years. If program funds allow and the approval will not hamper others within the section of initiating career development, the Career Development Plan may be updated and extended for up to another three years.</p> <p>Any modifications to Career Development Plans must be approved in writing by the employee's manager and the Organizational Development and Training Consultant. The employee is responsible for implementing their career development plan. A career development plan is considered inactive if the employee has not taken any proactive steps on his/her plan in a six-month period. This does not extend the time of the career development program.</p> <p>Tuition Reimbursement</p> <p>Tuition reimbursement is a form of Career Development Education.</p> <p>Employees are eligible for tuition reimbursement if they have an</p>
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	<p>approved Career Development Plan on file with Human Resources. For employees at salary range 20 and above, 50 percent of tuition and fees related to the class (this amount is prorated for part-time employees) are reimbursed. For employees at salary range 19 and below, 75 percent of tuition and fees related to the class (prorated for part-time employees) are reimbursed. Reimbursement shall not exceed \$3,500 in a twelve-month period (one year). No funds shall be carried over from year to year. The twelve-month reimbursement period begins with the first reimbursement payment.</p> <p>The intent of reimbursement is to assist employees with expenses related to their educational goals. Reimbursement will only be made for courses on the approved Career Development Plan. To receive reimbursement, the employee must submit documentation to the Agency Training and Development Specialist that they have received a “pass” or grade of “C” or better in the class. If the class is credit/no credit, the employee must receive credit status. They must also provide valid proof of out of pocket payment made by the employee to an approved educational institution during the term that the course(s) were taken (as outlined in the employee’s Career Development Plan) via cash, personal check, credit and/or debit card. Tuition, fees and course related books are eligible for reimbursement. Payments on student loans and items such as school supplies, child care, parking, technology, including computers, laptops and tablets or third party payments are not eligible for reimbursement.</p> <p>To receive reimbursement, requests must be submitted within 60 days of completion of the course(s).</p>
Other training	<ul style="list-style-type: none"> <li>• Program funds will cover 100 percent of Public Employees Retirement System sponsored retirement and investment seminar costs. These seminars will be on paid time if occurring during an employee’s regular work hours. If the seminar takes place outside the regular working hours, it is on the employee’s own time.</li> <li>• Employees may request an Educational leave of absence to pursue educational goals. Educational leave is unpaid time. For more information refer to the DEQ Leave Without Pay</li> </ul>

	<p>Policy 090.012.2016 and the 2017-19 Collective Bargaining Agreement, Article 31 Section 2(c).</p>
Memberships and registrations	<p>DEQ will pay for one of the following licenses, professional memberships or registration as follows:</p> <ul style="list-style-type: none"> <li>• When a professional registration or license for a (a) certified public accountant, (b) professional engineer, (c) registered geologist or (d) registered environmental health specialist/ registered sanitarian is required as part of the job duties of an employee and identified as a requirement of the position in the position description, the entire cost of the annual professional registration or license will be reimbursed by the agency; or</li> <li>• Up to \$250 for one job-related professional membership when pre-approved by the immediate supervisor; or</li> <li>• Up to \$250 for one non-required professional registration when pre-approved by the immediate supervisor.</li> </ul> <p>When a second professional membership will benefit an entire section of people at DEQ and no other staff member is eligible to obtain this membership, the manager of the section may request an exception to the professional membership limit through the Central Services Division Administrator. In situations such as this, the second professional registration must rotate among staff within the section. DEQ will not pay for more than two memberships per year for a given employee.</p> <p>These restrictions apply only to individual staff memberships. In situations where the agency as a whole benefits, and the membership is tied to the agency and not an individual (e.g., ECOS), memberships above these limits can be authorized. In these limited instances, if the employee were to leave, the membership/registration will transfer to another department employee.</p>
Records management	<p>Retain all documents related to this policy according to <a href="#">state general</a> and <a href="#">DEQ-specific</a> retention schedules.</p>
Definitions	<p>Career Development Plan: A written plan used to identify internal and external training for the employee to aid in promotion or job changes at DEQ or</p>

	another agency. state
History	<p>3/30/2006 (format only)</p> <p>Clarify which expenses are eligible for reimbursement: 8/13/03, 6/10/04, 9/25/05</p> <p>10/15/09; 1/7/11; 2/21/12</p> <p>4/16/13: update intent to comply with DAS policy and clarify DEQ's expectations regarding training plans and minimum training hours expected.</p> <p>4/17/14: to clarify reimbursement process.</p> <p>9/29/17: to increase amount allowed for professional memberships, identify responsibilities and clarify language.</p> <p>3/30/20: Update eligibility language. Conform policy to most recent policy template.</p>
Attachments	<p><a href="#">DAS Policy 50.045.01</a></p> <p><a href="#">Governor's Balanced Budget Benchmarks</a></p> <p><a href="#">Job Related Training and Career Development Forms, and Educational Leave</a></p> <p><a href="#">Information, Leave without Pay Policy Travel forms and procedures</a></p>