



Oregon Department of Justice

Ellen F. Rosenblum
Attorney General
1162 Court Street
Salem, OR 97301
503/378-6002

Affirmative Action Plan
2023 - 2025

ELLEN F. ROSENBLUM
ATTORNEY GENERAL



Lisa M. Udland
DEPUTY ATTORNEY GENERAL

Department of Justice
Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-6002

September 16, 2022

Juliet O. Valdez
Statewide Affirmative Action Manager
Department of Administrative Services | Office of Cultural Change
155 Cottage St NE
Salem, OR 97301

Dear Ms. Valdez:

Enclosed is the Affirmative Action Plan of the Oregon Department of Justice (DOJ) for the 2023-2025 biennium. DOJ is committed to building an organization that celebrates diversity and inclusion, with an energized workforce that accurately reflects the communities we serve—including diversity of race, ethnicity, gender, sexual orientation, age, and disability status. We strive to cultivate an environment that is inclusive and encourages people to bring a variety of experiences, ideas, and perspectives to our workplace.

DOJ uses the Affirmative Action Plan and its guidelines to build a culture that encourages, promotes, and supports diversity and inclusion within our offices and broader communities. All employees of DOJ are expected to encourage and maintain a respectful, inclusive, and discrimination-free workplace.

With these aims as our guide, the enclosed plan discusses our successes during the last biennium and our goals for the future to ensure fair and equitable opportunities for all of our current employees and prospective employees. It is our intention that these measures will build upon those already in place, to help us further cultivate a diverse, inclusive, and compassionate workplace that enriches the experiences of our employees and the people we serve.

Sincerely,

A handwritten signature in blue ink that reads "Ellen F. Rosenblum".

ELLEN F. ROSENBLUM
Attorney General

STATE OF OREGON
DOJ Affirmative Action Plan
2023-2025 Biennium

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DESCRIPTION OF AGENCY

Mission and Objectives

The Office of the Attorney General was created in 1891 by state legislative enactment, and the Oregon Department of Justice (DOJ) was established in 1947.

Today, led by the Attorney General, the DOJ serves as the state's law firm, defending the rights and interests of all Oregonians, while also serving the legal needs of state government. DOJ attorneys represent and advise all state-elected and appointed officials, agencies, boards, and commissions. With a staff of over 1,300 individuals statewide, DOJ and its nine divisions run programs related to consumer protection, child support, charitable activities, crime victim services, district attorney assistance, environmental protection, and more.

The mission of the Oregon DOJ is to serve state government and to support safe and healthy communities throughout Oregon by providing essential justice services, including serving the most vulnerable.

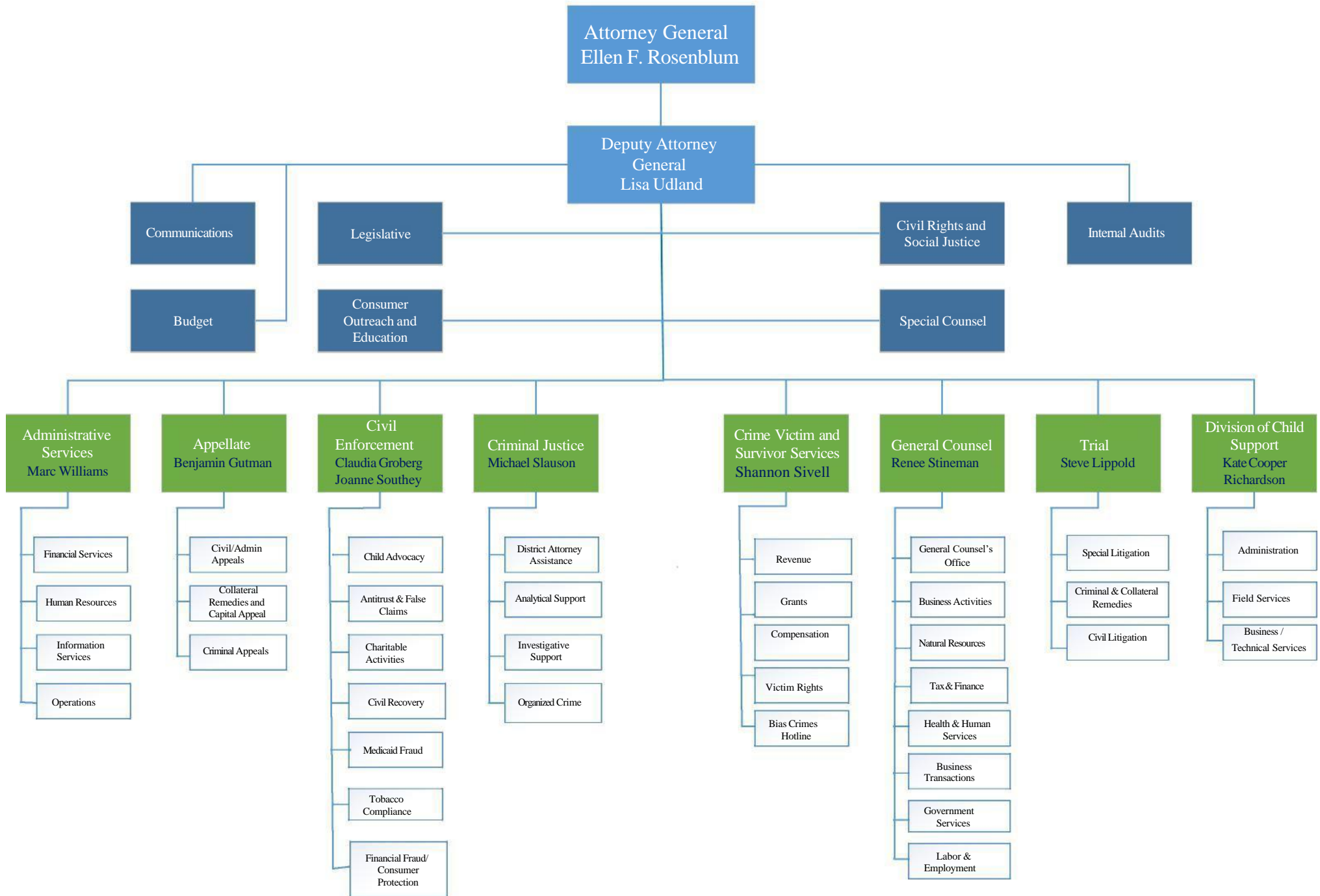
The Attorney General and our nine divisions are dedicated to:

- Providing ethical, independent and high-quality legal services to state government;
- Safeguarding consumers from fraud and unfair business practices;
- Fighting crime and helping crime victims and survivors;
- Advocating for vulnerable children;
- Supporting families through the collection of child support;
- Enforcing environmental protections;
- Defending the civil rights of all Oregonians;
- Expanding access to justice;
- Upholding the rule of law.

AGENCY CONTACTS
Oregon Department of Justice

AGENCY DIRECTOR Attorney General	Ellen F. Rosenblum 1162 Court Street Salem, Or 97301 503.378.6002
AGENCY DEPUTY DIRECTOR Deputy Attorney General	Lisa Udland 1162 Court Street Salem, Or 97301 503.378.6002
AGENCY AFFIRMATIVE ACTION OFFICER Human Resources Director	Jennifer Schaffner 1162 Court Street Salem, Or 97301 503.947.4348
OFFICE OF THE GOVERNOR Legal Counsel	Richard Lane 900 Court St. NE Salem, Or 97301 503.378-5539
AGENCY CIVIL RIGHTS DIRECTOR Director of Civil Rights	Fay Stetz-Waters 1162 Court Street Salem, Or 97301 503.373.7695
CONSUMER PROTECTION AND OUTREACH DIRECTOR Principal Executive Manager	Ellen Klem 1162 Court Street Salem, Or 97301 503.378.6002

Oregon Department of Justice Organizational Chart



2021-2023 PROGRESS REPORT

Since implementing the 2021-2023 Affirmative Action Plan, the Oregon Department of Justice has underscored the importance of equity and inclusion in the face of a quickly changing employment landscape. The new challenges presented by remote and hybrid work, as well as prioritizing staff safety during the COVID-19 pandemic, have presented numerous opportunities to learn from diverse perspectives. Maintaining the momentum and understanding gained within our community in the last two years is critical as we prepare new and improved strategies for the 2021-2023 Plan.

In the following section we discuss the goals and strategies developed in our previous Action Plan and how they supported the resolution to “maintain parity where it exists and to resolve areas where there is underrepresentation.” That plan identified Recruiting and Retention as two key components of honoring this resolution. We will analyze the impact of this strategy by looking at each of the three goals created to help support its implementation and success. These goals were as follows:

- 1. Increase recruitment, promotion, and retention of individuals that identify as people of color in the job category of Officials/Administrators.**
- 2. Increase recruitment, promotion, and retention of employees with disabilities in Professional job categories.**
- 3. Increase recruitment, promotion, and retention of individuals who identify as females in the job category of Technician.**

The Department of Justice has continued to prioritize community outreach and engagement to accomplish these goals through the efforts of our recruiters. Rising to the challenges of hiring in a market that has shifted to largely online interactions, our team has sought out organizations in the local community that aim to serve underrepresented populations with virtual job-seeking resources.

A second strategy established in the 2021-2023 Action Plan was to recruit a Diversity, Equity, and Inclusion Coordinator. DOJ is currently without a Diversity, Equity, and Inclusion Coordinator; however, recruitment efforts are underway. To ensure the important work of this position is being fulfilled at DOJ, we have begun the process of contracting with a DEI consultant.

CONTINUING EFFORTS

For many years, the Department of Justice has prioritized Affirmative Action as a standard and a metric against which policies are measured, evaluated, and revised. In this section we will briefly touch on some of the ongoing programs and engagements that uphold this standard.

Community Relationships

The Office of the Attorney General, supported by the efforts of Civil Rights Director, Fay Stetz-Waters, engages in cultural discussions and activities focusing on diversity, equity, and inclusion. This includes partnering with groups across the Pacific Northwest to learn more about and support the needs of diverse populations and populations impacted by inequity.

The COVID-19 pandemic changed the face of community engagement, and the DOJ rose to the challenge of staying active during that paradigm shift, taking part in numerous digital community gatherings focused on discerning and honoring the equity and justice needs of those we serve.

Throughout the past two years DOJ members have met with trainers, representatives, and coordinators from local and national groups to learn more about how to recognize bias and racism in our workplace and communities. This included meetings with groups such as the Department of Public Safety Standards & Training, police departments statewide, the Oregon District Attorney Association, and the US Department of Justice to establish best practices for reporting and responding to bias and hate crimes in our communities.

We further met with groups focusing on specifically under-served and marginalized peoples. PFLAG, the Anti-Defamation League, AARP, and the NAACP all offered insights on how to best meet minority groups in a way that honors their specific needs. Our representatives were also able to share the experiential diversity of our own culture and community, further strengthening our position to operationalize justice and equity in all our practices.

By working closely with these organizations and providing outreach to groups, the Civil Rights Unit has learned about the systemic inequities and barriers faced by numerous populations. The DOJ has the opportunity to use this information to improve recruitment and retention efforts in furtherance of our Affirmative Action goals. When appropriate, the Civil Rights Director and her colleagues inform diverse populations about employment opportunities at the DOJ, and encourage them to consider working at the DOJ, an important step in meeting Affirmative Action goals.

Training

The Department of Justice recognizes that the work, understanding, and intentional recruitment and advancement of qualified candidates pursuant to Affirmative Action policies is never truly complete. To foster a workplace that celebrates diversity and inclusivity, DOJ emphasizes the importance of continued education and training to increase our historical knowledge and understanding of discrimination and other obstacles to achieving equity in the workplace. To that end, staff members of DOJ attend regular training events, employer directed and independent, focused on improving literacy of equity and appropriate practices for implementation. These trainings are verified and reported to the agency's Affirmative Action representatives.

Communication

Purposeful action, informed by open and earnest communication, is core to the success of any community-driven undertaking. In this respect, the DOJ has achieved much in the last biennium.

Staff of the Office of the Attorney General have taken part in speaking engagements, panel discussions, and presentations focused on institutionalizing equitable behaviors by creating standards and policies that address struggles stemming from inequity and exclusion. The Diversity and Inclusion Committee meets monthly to synthesize the needs communicated by our community into actionable recommendations for DOJ executive staff.

Additionally, our DEI Committee gained membership with GARE—the Government Alliance on Race and Equity—a national network of governments working to achieve racial equity and advance opportunities for all. The annual GARE conference, available to all DOJ employees, allows us the opportunity to sit in on panels and presentations addressing the changing and growing needs of marginalized groups with a focus on how government employees can affect change in their communities and beyond. The GARE network has enabled our organization to achieve better, more effective equity outcomes.

Within DOJ, Committee work includes:

- Supporting DOJ's Affirmative Action Plan goals and initiatives to increase diversity, equity and inclusion in all levels of employment
- Identifying critical diversity issues for leadership and staff awareness
- Following through with strategies for diversity and inclusion training and initiatives
- Communicating the benefits of a diverse workforce internally and cultivating external credibility and trust with the public we serve

PROGRAMS

Formal Internship Programs

Honors Attorneys

The Honors Attorney program is a two-year program designed to provide exceptional recent law school graduates--including those who have served as judicial clerks--with the opportunity to gain public law experience after law school. These are paid positions. Honors Attorneys typically rotate from one division to another after their first year, enabling them to obtain a breadth of experience in diverse areas of the law and with colleagues from different divisions in the office.

Outreach to the Oregon State Bar (OSB) includes a variety of opportunities for connection and discussion throughout the year. Examples of some of those opportunities include:

- Outreach to individual members of the bar who practice in areas of relevance to all DOJ attorney recruitments in the form of an emailed recruitment announcement.
- Twice per year DOJ participates in the OSB Opportunities for Law in Oregon (OLIO) events and retreats. Geared toward first-year law students, OLIO is a multi-day event that provides a diverse group of Oregon's first-year law students with the opportunity to interact with each other as well as with upper division students, attorneys, judges, and affinity bar leaders who will serve as mentors and role models.
- DOJ participated in the OSB Leadership Institute in 2022 and plans to continue this effort in the future. The Leadership Institute is a nine-month program that aims to cultivate the leadership skills of lawyers from diverse backgrounds and serve the legal profession and the Oregon community by increasing awareness regarding ethical, professional, and community service opportunities.

Informational sessions, held onsite at local law schools, also help to attract diverse applicants. A pool of approximately 50-80 applications each year are considered by a committee comprised of division administrators who consider all facets of a candidate's merits and experiential diversity. Fewer than ten outstanding applicants are selected and appointed annually. Honors Attorneys are encouraged to seek to continue their employment with DOJ.

Law Clerks

The Oregon DOJ employs approximately 50-80 law students to provide legal support to Assistant Attorneys General.

Under the program the law clerks are assigned to particular divisions and gain experience in public law by working with individual attorneys. The program is intended to provide law clerks with meaningful and practical paid work experience.

Outreach to the Oregon State Bar Diversity & Inclusion Section, to law school career centers, as well as student groups and associations is conducted to develop a diverse applicant pool. Informational sessions, held onsite at local law schools, also help to attract diverse applicants. The impact of COVID-19 was a particular hurdle in this endeavor. Though still able to host 1 digital event, attended by approximately 40 prospective clerks and recorded for view by more, the DOJ is eager to attend and schedule many more in-person and digital hiring events in the coming biennium.

Informal Internship Programs

DOJ cooperates when approached by a school or an individual, making no distinction between law and non-law programs. DOJ is developing an intern program for IT candidates to provide experience and assist in building our future candidate base. DOJ's technology internship program will offer students the opportunity to gain hands-on experience in a wide range of technology fields such as, software development, networking, web development, information security, and system administration. Interns will work with experienced mentors and will be given the chance to develop technical and professional skills, while gaining real-world experience.

Mentorship Program

The Oregon Supreme Court and the Oregon State Bar have created a New Lawyer Mentoring Program and require newly admitted Oregon lawyers to participate. DOJ saw the value in this approach and started its own New Lawyer Mentoring Program to ensure that new attorneys employed by DOJ would have the resources needed to meet the OSB requirement and to be successful at DOJ. The goal of the New Lawyer Mentoring Program is to provide personalized professional guidance to new attorneys. Mentors are selected and paired with a new attorney through a committee. Mentors and mentees are matched based on location, practice areas and other common elements. Additionally, some Divisions assign an informal mentor to all new-to-DOJ attorneys, regardless of prior experience, to provide guidance and support. Mentorships help create uniformity in work, ensures attorneys are provided with adequate resources and support, and supports retention goals.

**UPDATE ON EXECUTIVE ORDER NO. 22-11:
Relating to Affirmative Action, Equal Employment Opportunity, Diversity, Equity,
and Inclusion
*DOJ's Implementation Status***

Below we provide an update on how DOJ is implementing the requirements of EO 22-11 within our agency.

2.a - Provide ongoing leadership in implementing each agency's affirmative action plan;

The Attorney General supports the agency affirmative action goals and all efforts taken toward creating a culture of diversity, belonging, and inclusion. The Attorney General and Staff of the Office of the Attorney General take part in speaking engagements, panel discussions, and presentations focused on institutionalizing equitable behaviors by creating standards and policies that address struggles stemming from inequity and exclusion. The Diversity and Inclusion Committee then meets monthly to synthesize the needs communicated by our community into actionable recommendations for DOJ executive staff.

2.b/2. g - Ensure incorporation of affirmative action, diversity, equity, and inclusion responsibilities in executive and/or management job descriptions; Work to improve implementation of the agency's affirmative action plan using professional development, performance assessments, and/or performance evaluations;

DOJ has incorporated affirmative action objectives as a key consideration for a manager's or supervisor's performance goals. Specific examples of the managers' and supervisors' affirmative action objectives as well as diversity and inclusion successes and achievement are described below. Management personnel have quarterly check-ins to assess whether they are meeting their affirmative action objectives. Any goals or work plans for future performance are outlined during the check-in.

Performance objectives for managers include, but are not limited to:

- Understand Equal Employment Opportunity (EEO), Affirmative Action (AA), Diversity and Cultural Competency principles, and the agency's AA Plan goals and objectives. Develop and implement strategies to meet goals and objectives and report annual efforts, successes and/or accomplishments during the period.
- Review hiring, transfers, promotional, developmental/rotational, or training practices and procedures to identify and remove barriers in the attainment of the agency's affirmative action goals and objectives.
- Promote and foster a positive, professional and respectful work environment within the agency programs concerning EEO, AA, Diversity, and Cultural Agility; Ensure employees are aware of and follow agency policies and procedures, address work-related issues and/or concerns immediately, and take appropriate action if necessary.

- Attend EEO, AA, and other diversity-related training to provide leadership to staff by being aware of diversity and cultural issues. This also includes supporting employees to attend such programs for further professional development.

*2.c. - Ensure agencies fulfill their affirmative action responsibilities by requiring directors, administrators, managers, and coordinators of **DEI**, affirmative action, and equal employment opportunity, attend all OCC and GO meetings to assist Affirmative Action Representatives. Agencies will annually submit the name of agency Affirmative Action Representative and immediately inform the OCC if the representative is changed;*

The Agency Affirmative Action officer and/or designee endeavors to attend all OCC and GO meetings. The DOJ Affirmative Action Representative is the agency Human Resources Director. This information is provided to the OCC annually and upon appointment of a new director.

2.d. - Post each agency's affirmative action plan policy statement and diversity and inclusion statement in a clearly visible area on agency's internal and external websites. The policy statement shall include the name and contact information for the agency's Affirmative Action Representative;

and

2.e. - Communicate to all employees about the Affirmative Action resources available with each agency and the important role of Affirmative Action Representatives in responding to employees' concerns of discrimination in the areas of hiring, retention, promotion, and career development;

The impact of the Affirmative Action Plan can be fully realized only to the extent that its provisions are known by those who must apply it and those who benefit from it. The responsibility for dissemination of the agency's Affirmative Action Policy Statement and Affirmative Action Plan has been delegated to the Affirmative Action Officer. Such communication is both internal and external, and includes:

I. Internal Dissemination

- A. The Attorney General or her designee: Participate in the creation of the plan and takes responsibility for the effective implementation of the plan.
- B. Conducts meetings with management and supervisory personnel in which the Attorney General or her designee explains the intent of the Affirmative Action Plan and clearly communicates her personal commitment to and support of equal employment opportunities.
- C. Distributes the plan to all managerial and/or supervisory staff who have the authority to recruit, hire, train, and/or promote.
- D. Directs the Deputy Attorney General to review with each manager and/or supervisor their responsibility for achieving the agency's affirmative action goals and objectives and provide other relevant affirmation action information throughout the year.
- E. Directs that the Affirmative Action Policy Statement, Affirmative Action Plan and Grievance Procedure is including as part of each new employee's orientation.
- F. Directs that the agency's Affirmative Action Policy Statement and Grievance Procedure is posted on employees' bulletin boards; and

- Directs that the agency's Affirmative Action Policy Statement, Affirmative Action Plan, and Grievance Procedure on the agency's website; and that the agency's Affirmative Action Policy Statement, Affirmative Action Plan and Grievance Procedure are distributed to any employee upon request.
- H. Ensure information regarding EEO, AA and Americans with Disabilities (ADA) information is properly displayed on the appropriate boards at the worksite(s).

II. External Dissemination

- A. All recruitment announcements, applications for employment, and newspaper advertisements contain the phrase, "An Equal Opportunity Employer";
- B. DOJ Affirmative Action Plan is posted on the agency's Internet site and made available to the public upon request. Copies of the agency's Affirmative Action Policy Statement, Affirmative Action Plan and Grievance Procedure are provided to any person, including job applicants, upon request.
- C. All bidders, contractors, subcontractors, and suppliers are notified of the agency's affirmative action policy. Notices include a statement that the agency will not knowingly do business with any bidder, contractor, subcontractor, or supplier of materials that discriminates against members of any protected class.

2.f. - Track, evaluate, and measure trends in agency discrimination and/or harassment claims, reporting data and findings in the subsequent biennial Affirmative Action Plan/ Statement Affirmative Action Statements are prescribed for agencies with ten or fewer FTE;

The Affirmative Action Officer monitors the Affirmative Action Plan on a continual Basis, including, but not limited to:

- I. Monitoring the auditing and reporting system by:
- A. Maintaining accurate and up-to-date records on all applicants, hires, promotions, transfers, and terminations by sex, race, and EEO-4 categories.
- B. Reviewing all promotions, transfers, and terminations to be certain that all employees are treated fairly and equitably; and
- C. Reviewing all selection, promotional, and training procedures to ensure nondiscrimination in practice.
- II. Reporting quarterly to the Attorney General or her designee on the effectiveness of the affirmative action program, progress and efforts made toward accomplishing affirmative action goals, and planned action and recommendations for improvement, if necessary.
- III. Preparing required updates and evaluations of the Affirmative Action Plan to be submitted to the Governor's Affirmative Action Office. An Affirmative Action progress report will also be prepared and submitted as part of the agency's budget submission.
- IV. Statewide Exit Survey
In support of our goal to make DOJ a place where people want to work for the long term, our exit survey allows departing employees the opportunity to share

their honest opinions regarding their work experience with the agency. DOJ is interested in how employees view their tenure and what information and suggestions they can provide related to their experience. The survey covers issues such as benefits, working conditions, opportunities for career advancement, the quality and quantity of the workload, and relationships with coworkers and supervisors.

- A. DOJ runs periodic reports to review the results collected and to perform a data analysis. The data analysis provides an understanding of the degree to which voluntary turnover is preventable.
- B. Over the last biennium, the top reasons employees left DOJ were: 1) career advancement, 2) compensation, and 3) type of work.
- C. Compared to the previous biennium, voluntary resignations surpassed retirements this biennium as the number one reason for leaving DOJ. Specific reasons for resignations varied widely. However, compared to last biennium, work climate (an employee's relationship with co-workers and/or managers, diversity, comfort level) has improved. Fewer respondents this biennium indicated the work climate influenced their decision to leave DOJ.
- D. The data shows that 70-90% of respondents were quite satisfied with supervisory relationships, fair and equal treatment, and overall enjoyed working for the agency. Such positive responses tend to indicate a supportive workplace culture.
- E. The data shows that compared to last biennium, employees who separated believe communication regarding the advancement process needs improvement. With the implementation of a new enterprise Human Resource Information System, the goal is to improve the recruitment process, including timeliness for advancement.

2.g. - Work to improve implementation of the agency's affirmative action plan using professional development, performance assessments, and/or performance evaluations;

DOJ, through training and education, seeks to improve job performance, increase professionalism, increase diversity and inclusion, and enhance career opportunities in order to conduct its business effectively and efficiently.

DOJ currently provides leadership training through the Human Resource Generalists, Labor and Employment's Client Training, in-house Continuing Legal Education workshops, and Department of Administrative Services training.

2.h. - Ensure agency-adopted systems address accessibility and ease of interaction through monitoring and continuous improvement to support a diverse, equitable, and inclusive workforce.

DOJ endeavors to maintain accessibility in all new systems. To aid us as we strive for that goal, we will temporarily engage a team of DEI contractors who will help us create standards and guidelines to operationalize accountability within those systems. This will include assistance in developing a description for and recruitment of a permanent DEI coordinator to continue this crucial work once their contract has ended. We believe that mindfulness of the results of our interactions with those we serve will lead to timely and impactful accountability and corrective measures. When an existing system is found deficient, requirements and plans will be developed to address the deficiencies.

PERFORMANCE EVALUATION & DATA ANALYSIS

The effectiveness of an agency's Affirmative Action strategies is reflected in the experiential representation within that agency's staff. In the following pages we will share the statistical breakdown of the staff of the Department of Justice both as a whole and with a focus on the attorneys who serve the State of Oregon on behalf of the DOJ.

RACE & ETHNICITY

EEO 4 Job Category	American Indian or Alaska Native		Asian		Black or African American		Hispanic or Latino		Native Hawaiian or Other Pacific Islander		Two or More Races		White		Unknown		Total
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Administrative Support	4	1.4%	16	5.5%	7	2.4%	44	15.2%	5	1.7%	8	2.8%	202	69.7%	4	1.4%	290
Officials and Administrators	1	0.9%	5	4.6%	1	0.9%	3	2.8%	1	0.9%	3	2.8%	92	85.2%	2	1.9%	108
Paraprofessionals	4	4.9%	7	8.6%	3	3.7%	3	3.7%	1	1.2%	1	1.2%	62	76.5%	0	0.0%	81
Professionals	7	0.8%	43	5.2%	9	1.1%	80	9.7%	6	0.7%	22	2.7%	647	78.4%	11	1.3%	825
Protective Service Workers	0	0.0%	1	4.2%	0	0.0%	4	16.7%	0	0.0%	1	4.2%	18	75.0%	0	0.0%	24
Service	0	0.0%	0	0.0%	0	0.0%	1	33.3%	0	0.0%	0	0.0%	2	66.7%	0	0.0%	3
Skilled Craft Workers	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	1
Technicians	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	100.0%	0	0.0%	3
Total	16	1.2%	72	5.4%	20	1.5%	135	10.1%	13	1.0%	35	2.6%	1027	76.9%	17	1.3%	1335

This graph affords us a granular look at the racial and ethnic makeup of the DOJ. Data from the 2021-2023 biennium is available in Appendix A.

While we have experienced considerable representative growth in Professional roles, a reduction in Officials and Paraprofessionals of approximately 4 and 6 percent respectively indicates these categories will benefit from earnest recruitment efforts and an analysis of positional availability.

POC		White		Unknown	
#	%	#	%	#	%
84	29.0%	202	69.7%	4	1.4%
14	13.0%	92	85.2%	2	1.9%
19	23.5%	62	76.5%	0	0.0%
167	20.2%	647	78.4%	11	1.3%
6	25.0%	18	75.0%	0	0.0%
1	33.3%	2	66.7%	0	0.0%
0	0.0%	1	100.0%	0	0.0%
0	0.0%	3	100.0%	0	0.0%
291	21.8%	1027	76.9%	17	1.3%

RACE & ETHNICITY

Legal Classification	American Indian or Alaska Native		Asian		Black or African American		Hispanic or Latino		Native Hawaiian or Other Pacific Islander		Two or More Races		White		Unknown		Total
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Legal Support Services Manager 1	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	1
Legal Support Services Supervisor 1	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	100.0%	0	0.0%	5
Legal Support Services Supervisor 2	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	100.0%	0	0.0%	4
Assistant Attorney General	1	1.4%	8	11.4%	2	2.9%	4	5.7%	0	0.0%	2	2.9%	52	74.3%	1	1.4%	70
Senior Assistant Attorney General	1	0.4%	13	5.1%	3	1.2%	10	3.9%	1	0.4%	8	3.1%	220	85.6%	1	0.4%	257
Paralegal	4	4.9%	7	8.6%	3	3.7%	3	3.7%	1	1.2%	1	1.2%	62	76.5%	0	0.0%	81
Legal Secretary	0	0.0%	4	3.9%	1	1.0%	16	15.7%	0	0.0%	5	4.9%	76	74.5%	0	0.0%	102
Total	6	1.2%	32	6.3%	9	1.8%	33	6.5%	2	0.4%	16	3.1%	410	80.4%	2	0.4%	510

This chart offers a statistical breakdown of the racial and ethnic representation within our attorney and legal classifications. This is the first time we have taken such a granular look at our attorney representation, and the data will act as a framework from which we can review and consider recruitment goals and processes. DOJ hopes to use this information as the basis to work toward being a thought leader in improving recruitment of diverse candidates in the legal field.

POC		White		Unknown	
#	%	#	%	#	%
0	0.0%	1	100.0%	0	0.0%
0	0.0%	5	100.0%	0	0.0%
0	0.0%	4	100.0%	0	0.0%
17	24.3%	52	74.3%	1	1.4%
36	14.0%	220	85.6%	1	0.4%
19	23.5%	62	76.5%	0	0.0%
26	25.5%	76	74.5%	0	0.0%
98	19.2%	410	80.4%	2	0.4%

GENDER

EEO 4 Job Category	Female		Male		Total
	#	%	#	%	#
Administrative Support	259	89.3%	31	10.7%	290
Officials and Administrators	74	68.5%	34	31.5%	108
Paraprofessionals	71	87.7%	10	12.3%	81
Professionals	552	66.9%	273	33.1%	825
Protective Service Workers	9	37.5%	15	62.5%	24
Service	0	0.0%	3	100.0%	3
Skilled Craft Workers	0	0.0%	1	100.0%	1
Technicians	0	0.0%	3	100.0%	3
Total	965	72.3%	370	27.7%	1335

CHART A

Legal Classification	Female		Male		Total
	#	%	#	%	#
Legal Support Services Manager 1	1	100.0%	0	0.0%	1
Legal Support Services Supervisor 1	5	100.0%	0	0.0%	5
Legal Support Services Supervisor 2	4	100.0%	0	0.0%	4
Assistant Attorney General	41	58.6%	29	41.4%	70
Senior Assistant Attorney General	132	51.4%	125	48.6%	257
Paralegal	71	87.7%	10	12.3%	81
Legal Secretary	95	93.1%	7	6.9%	102
Total	339	66.5%	171	33.5%	510

CHART B

Chart A represents the representation of female and male identifying staff members within DOJ. Data from the 2021-2023 biennium is available in Appendix A.

Though the percentage of female identifying employees has grown by approximately 1% with significant growth in Administrative Support, Officials, and Protective Service roles, declines in female representation among Paraprofessional (2%), Professional (.5%), and Technician roles illustrate a need for attention to recruiting and retention practices in these areas.

Chart B offers a statistical breakdown of gender representation within our attorney and legal classifications. This information will act as a framework from which we can derive parity targets and recruitment goals.

FEMALE & POC

EEO 4 Job Category	American Indian or Alaska Native		Asian		Black or African American		Hispanic or Latino		Native Hawaiian or Other Pacific Islander		Two or More Races		White		Unknown		Total EEO 4 Category
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Administrative Support	4	1.4%	12	4.1%	5	1.7%	36	12.4%	5	1.7%	7	2.4%	187	64.5%	3	1.0%	290
Officials and Administrators	0	0.0%	4	3.7%	1	0.9%	2	1.9%	0	0.0%	2	1.9%	63	58.3%	2	1.9%	108
Paraprofessionals	4	4.9%	5	6.2%	3	3.7%	2	2.5%	1	1.2%	1	1.2%	55	67.9%	0	0.0%	81
Professionals	5	0.6%	30	3.6%	6	0.7%	58	7.0%	4	0.5%	11	1.3%	433	52.5%	5	0.6%	825
Protective Service Workers	0	0.0%	0	0.0%	0	0.0%	2	8.3%	0	0.0%	0	0.0%	7	29.2%	0	0.0%	24
Service	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3
Skilled Craft Workers	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1
Technicians	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3
Total	13	1.0%	51	3.8%	15	1.1%	100	7.5%	10	0.7%	21	1.6%	745	55.8%	10	0.7%	1335

POC & Female		White		Unknown	
#	%	#	%	#	%
69	23.8%	187	64.5%	3	1.0%
9	8.3%	63	58.3%	2	1.9%
16	19.8%	55	67.9%	0	0.0%
114	13.8%	433	52.5%	5	0.6%
2	8.3%	7	29.2%	0	0.0%
0	0.0%	0	0.0%	0	0.0%
0	0.0%	0	0.0%	0	0.0%
0	0.0%	0	0.0%	0	0.0%
210	15.7%	745	55.8%	10	0.7%

These charts represent intersectionality between POC and Female representation within DOJ and our legal divisions respectively. This information must be studied to identify underrepresented communities within the agency.

FEMALE & POC

Legal Classification	American Indian or Alaska Native		Asian		Black or African American		Hispanic or Latino		Native Hawaiian or Other Pacific Islander		Two or More Races		White		Unknown		Total EEO 4 Category
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Legal Support Services Manager 1	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	1
Legal Support Services Supervisor 1	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	100.0%	0	0.0%	5
Legal Support Services Supervisor 2	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	100.0%	0	0.0%	4
Assistant Attorney General	1	1.4%	6	8.6%	1	1.4%	1	1.4%	0	0.0%	2	2.9%	30	42.9%	0	0.0%	70
Senior Assistant Attorney General	0	0.0%	9	3.5%	1	0.4%	4	1.6%	1	0.4%	2	0.8%	115	44.7%	0	0.0%	257
Paralegal	4	4.9%	5	6.2%	3	3.7%	2	2.5%	1	1.2%	1	1.2%	55	67.9%	0	0.0%	81
Legal Secretary	0	0.0%	4	3.9%	1	1.0%	15	14.7%	0	0.0%	5	4.9%	70	68.6%	0	0.0%	102
Total	5	1.0%	24	4.7%	6	1.2%	22	4.3%	2	0.4%	10	2.0%	270	52.9%	0	0.0%	510

POC & Female		White		Unknown	
#	%	#	%	#	%
0	0.0%	1	100.0%	0	0
0	0.0%	5	100.0%	0	0
0	0.0%	4	100.0%	0	0
11	15.7%	30	42.9%	0	0
17	6.6%	115	44.7%	0	0
16	19.8%	55	67.9%	0	0
25	24.5%	70	68.6%	0	0
69	13.5%	270	52.9%	0	0

2023-2025 Action Plan

During the 2023-2025 biennium, the Department of Justice will focus on greater representational growth and community engagement. We will use statistics to help quantify what actions are proving successful in recruiting and retaining diverse candidates and identify areas of particular struggle. We will build upon the previous action plan's emphasis on recruitment and retention by training our recruitment team and debriefing on why diverse candidates did not apply for an open position or turned down an offer at DOJ. Lastly, we will provide clear communication between the administrators of Diversity, Equity, and Inclusion (DEI) recruitment work and the executive team.

By pursuing the strategies described in the section below we aim to firmly institutionalize the foundational principles of equity and inclusion in recruitment, hiring, and retention, and transparently reflect on the necessary work remaining within the DOJ.

Strategy 1 – Coordinate the efforts of all equity-focused parties within DOJ

Staff members within DOJ specializing in diversity and inclusion will need to have a voice in agency business in order to better connect the agency to the community it serves. These positions, including the Civil Rights Director, Diversity & Inclusion (D&I) Committee, and forthcoming DEI Coordinator, are necessary to create a culture of informed discourse and equitable treatment. As such, creating a standard of interaction between these parties is key.

To ensure thorough and timely communication between these parties, we make the following commitments:

- Monthly meetings of the D&I Committee will include account and recording of all trainings, outreach, and coursework completed by members of the committee.
- Monthly meetings will occur between D&I Committee and DEI Coordinator with minutes recorded and shared.
- Upon hire, the DEI coordinator will partner with the Civil Rights Director to implement behaviors and policies creating a leadership structure focused on cultivating equity efforts.
- The D&I committee will seek out and share community engagement opportunities with other equity focused positions within DOJ with the goal of disseminating this information to all divisions.

This strategy of clear communication between the communities DOJ serves, the D&I Committee, and Human Resources' Hiring Team is intended to increase diverse hires, and produce equity driven policies and learning opportunities for the employees of the DOJ.

Strategy 2 – Empower Recruiters to assist in the task of attracting and retaining diverse talent.

The recruitment specialists of the Department of Justice work hard to ensure that their practices are as equitable and far reaching as possible. DOJ employs two Recruitment Specialists. These skilled individuals are tasked with ensuring that outreach includes meaningful connections to a wide variety of Diversity and Affinity Groups and members of the Oregon State Bar who practice in the areas relevant to our recruitments. The Recruitment Specialists interact with Division leaders and attorneys for every recruitment generated to ensure that the outreach done is meaningful and reaches all of the relevant groups needed to connect with the most diverse applicant pool. Our recruiters handle this responsibility with utmost professionalism and are respected by job seekers, DOJ Managers, and partner organizations for creating a positive experience for all involved in the recruitment cycle.

Because of the nature of the team's work, they are in an invaluable position to engage fully in the actions necessary to ensure the agency's staff is optimally representative of Oregon's diversity of race, ethnicity, gender, sexual orientation, age, and disability status.

To better utilize the knowledge and skills of our recruitment specialists, we make the following commitments:

- Recruitment will work with DEI coordinator and managers to develop interview questions and practices that are engaging to and inclusive of all audiences.
- Recruiters will seek out employment events and groups focused on providing work assistance to under-represented groups.
- At least one recruiter will have a seat on the D&I committee where they will share and receive news and knowledge relevant to accomplishing these goals.

Strategy 3 – Update initial and continuing diversity trainings

The knowledge and training necessary to foster a workforce that understands and promotes diversity and inclusion evolves along with the community and current events. As such, it is important to ensure that all trainings related to diversity and inclusion are updated and administered regularly.

To elevate the role of training and education in cultivating a diverse and inclusive workplace we make the following commitments:

- Agency trainers will partner with appropriate administrators to audit current training policies and introduce diversity and equity training where absent, including but not limited to presentation of Affirmative Action Plan.
- DEI coordinator will develop diversity and equity presentation and accountability training for new hire onboarding to be updated and redeveloped annually.
- All employees rotating into a management position or into a different division will be required to complete current diversity and equity training and presentation.
- Annual receipt of training and standards will be required of all staff through Workday Learning.

ROLES FOR IMPLEMENTATION OF AFFIRMATIVE ACTION PLAN

Attorney General

The Attorney General is responsible for directing the implementation of DOJ's Affirmative Action Plan. DOJ is committed to a policy of equal employment opportunity. The Attorney General expects appropriate efforts to be taken to ensure DOJ's workforce more accurately reflects the communities it serves, including expanded recruitment efforts of diverse candidates by DOJ's Recruitment Team. The Attorney General has assigned the overall responsibility for monitoring and implementing DOJ's Affirmative Action Plan to the Affirmative Action Officer.

Deputy Attorney General

The Deputy Attorney General deals directly with complaints of discrimination and harassment and ensures that appropriate investigations and corrective actions occur. The Deputy is the Agency's "Designated Individual Alternate" in accordance with DAS CHRO Policy 50.010.01 *Discrimination and Harassment Free Workplace*.

Managers and Supervisors

Division Administrators, Section Managers, Unit Supervisors, and other Executive Staff share the responsibility for the success of the Affirmative Action Plan through their direct Department management and policy-making roles.

Specific responsibilities of managers and supervisors include:

- Establish and maintain an inclusive work environment—free from harassment of any kind—that encourages all employees to achieve their full potential.
- Know the details of the Affirmative Action Plan and monitor the progress of hiring and promotions in relation to AA goals.
- Communicate the Affirmative Action Plan by:
 - Maintaining a copy of the plan and having it readily available for employees to read.
 - Routing information to subordinate management personnel and staff on EEO, with disabilities, affirmative action, and sexual harassment issues.
 - Holding regular discussions with subordinate managers and employees to ensure that the Affirmative Action Plan is understood and is being implemented.

- Provide assistance in the identification of problem areas and recommend program actions to comply with Affirmative Action Plan long-term policies and meet short-term goals.
- Ensure that women, people of color, and people with disabilities who are qualified job candidates will be considered for appointment and promotion, consistent with DOJ's Affirmative Action Plan.
- Encourage upward mobility for people of color, female employees, and employees with disabilities. This includes addressing career development and training opportunities, as appropriate.
- Take proactive steps to locate qualified female and minority candidates, including current DOJ employees, for vacant and future positions.
- Attend, direct subordinate supervisors to attend, and encourage employees to attend EEO/AA training activities.
- Evaluate the performance of subordinate managers regarding their effectiveness in achieving affirmative action objectives.

Affirmative Action Officer

DOJ's Human Resources Director, as DOJ's designated Affirmative Action Officer, has these responsibilities:

- Act as the Agency's 'Designated Individual' in accordance with DAS CHRO Policy 50.010.01 *Discrimination and Harassment Free Workplace*.
- Investigate discrimination and sexual harassment grievances and complaints.
- Serve as DOJ's liaison with the Governor's Affirmative Action Officer.
- Assist members of DOJ's Diversity and Inclusion Committee.
- Review applicant flow data to monitor percentage of people of color, females, and people with disabilities to assess areas of recruitment that may need further outreach.
- Facilitate periodic review of hiring and promotion patterns, training programs, job descriptions, and work assignments to identify barriers to equal employment opportunity
- Develop reporting tool through new statewide Human Resources Information System, Workday, to provide means for voluntary updates on the Employee Voluntary Questionnaire for Self-Identification of race, ethnicity, gender, and disability status.
- Prepare the periodic updates to the Affirmative Action Plan for submittal to the Governor's Office of Diversity & Inclusion.
- Distribute copies of the Affirmative Action Plan to groups and individuals both internally and externally, including the Governor's Diversity & Inclusion Office, Department managers and supervisors, collective bargaining organizations that represent Department employees, and other individuals who indicate an interest in the Affirmative Action Plan. (Copies are available to review in all work locations throughout DOJ by employees and interested members of the public.)
- Provide information to the Attorney General, Executive Staff, and Diversity and Inclusion Committee, as appropriate, regarding DOJ's Affirmative Action Plan monitoring, implementation, and updating procedures.
- Administer DOJ's discrimination, grievance, and complaint resolution process.

- Counsel and advise managers and supervisors in administering the collective bargaining agreements and Personnel Rules and Policies in a nondiscriminatory manner.
- Ensure Department compliance with all applicable federal and state laws, rules, and regulations.

Diversity and Inclusion Committee

The Diversity and Inclusion Committee is composed of representatives from divisions across DOJ and has these responsibilities:

- Identify and evaluate methods and actions for integrating diversity and inclusion within DOJ's workforce.
- Recommend actions to integrate valuing diversity throughout the workforce.
- Serve as a conduit to recommend diversity and inclusion ideas from the DOJ staff to DOJ's executive team.

Non-management and non-leadership roles

DOJ Diversity, Equity, and Inclusion efforts are the responsibility of all employees. To this end, there is an expectation of all employees to participate in the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and upholds:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employee contributions to the communities we serve to promote a greater understanding and respect for diversity.

All employees of DOJ have a responsibility to always treat others with dignity and respect. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other agency-sponsored and participative events. All employees are also required to attend and complete annual diversity awareness training to enhance their knowledge to fulfill this responsibility.

APPENDIX A: State Policy Documentation

- [Statewide Diversity, Equity, and Inclusion Action Plan](#)
- [Executive Order 22-11](#)
- [DAS CHRO Policy 40.010.02 Recruitment and Selection](#)
- [DAS CHRO Policy 50.020.10 ADA and Reasonable Accommodation Policy](#)
- [DAS CHRO Policy 50.010.01 Discrimination and Harassment Free Workplace](#)
- [DAS CHRO Policy 50.010.03 Maintaining a Professional Workplace](#)
- DAS CHRO Policy 50.045.01 Employee Development and Implementation of Oregon Benchmarks for Workforce Development – Obsolete
- [Oregon Revised Statute Chapter 240 - State Personnel Relations](#)
 - 240.145 Duties of Administrator
 - 240.250 Rules Applicable to Management Services
- [Oregon Revised Statute 408.230 - Veterans Preference in Public Employment](#)
- [Oregon Administrative Rule 105.040.0001 - Equal Opportunity and Affirmative Action Rule](#)



Department of Justice
Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-6002

Agency Affirmative Action Policy Statement

DOJ is committed to achieving a work force that represents the diversity of Oregon's population and to providing fair and equal employment opportunities. DOJ is committed to an affirmative action program that provides equal opportunities for all persons regardless of race, color, religion, sex, sexual orientation, national origin, marital status, age, or disability. DOJ provides an environment for each applicant and employee that is free from sexual harassment, as well as harassment and intimidation on account of an individual's race, color, religion, gender, sexual orientation, national origin, age, marital status, or disability. DOJ employment practices are consistent with the State's Affirmative Action Plan Guidelines and with state and federal laws, which preclude discrimination.

Agency Affirmative Action Policy Statement for Individuals with Disabilities

DOJ will not discriminate, nor tolerate discrimination, against any applicant or employee because of physical or mental disability regarding any position for which the known applicant for employment is qualified.

DOJ agrees to take affirmative action to employ, advance in employment, and otherwise treat known qualified individuals with disabilities without regard to their physical or mental disabilities in all human resources selection and decision practices, such as: advertising, benefits, compensation, discipline (including probation, suspension, and/or termination for cause or layoff), employee facilities, performance evaluation, recruitment, social/recreational programs, and training. DOJ will also continue to administer these practices without regard to race, color, religion, gender, sexual orientation, national origin, age, marital status, or disability. Additionally, all applicants and employees are protected from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation under this policy.

**Agency Affirmative Action Policy for Members of Uniformed Services
(ORS 659A.082)**

DOJ will not discriminate or tolerate discrimination against any employee because that person is a member of, applies to be a member of, performs, has performed, has applied to perform, or has an obligation to perform service in, a uniformed service. It is also the policy of DOJ to provide an environment for each applicant and employee that is free from sexual harassment, as well as harassment and intimidation on account of Individual's race, color, religion, gender, sex, sexual orientation, marital status, national origin, age, familial status or disability, or any other reason prohibited by state or federal policy or law.

DOJ DIVERSITY & INCLUSION STATEMENT

In our workplace, the people of the Oregon DOJ respect the diverse perspectives, knowledge, and experiences of our coworkers and those seeking to join the organization. We strive to build an inclusive and performance-oriented workplace. All individuals are welcomed and appreciated, leading to increasingly higher levels of fulfillment and success.

DOJ recognizes the many aspects of diversity in our interactions with the people and organizations of Oregon. Our differences lead to a better understanding of the work we do, the people with whom we work and the impact of our work. Our commitment to diversity and inclusion in Oregon's government enhances our dedication to public service. Through the different missions of our divisions, we are dedicated to upholding the rule of law for all the people of our state. We support a culture that encourages all members of our workforce to thrive and succeed and to treat each other with dignity and fairness.

DOJ WORKPLACE REPRESENTATION REPORT

December 31, 2020

People of Color					
EEO Categories	Total DOJ employees	# of group employed	# of group needed to reach parity	% of goal achieved	Change in # of POC from 06/30/2018
OFFICIAL/ADMINISTRATOR	108	17	14	100%	+3
Upper Management	55	8	8	100%	
Middle Management	53	9	6	100%	
PROFESSIONALS	787	137	90	100%	+33
TECHNICIANS	22	7	1	100%	+6
PROTECTIVE SERVICE WORKERS	16	4	1	100%	+2
PARAPROFESSIONALS	77	14	6	100%	+7
ADMINISTRATIVE SUPPORT	320	83	29	100%	+22
TRADES/MAINTENANCE REPAIR	1	0	0	N/A	NC
SERVICE MAINTENANCE WORKER	3	1	1	100%	NC
Total	1,334	263			
Women					
EEO Categories	Total DOJ employees	# of group employed	# of group needed to reach parity	% of goal achieved	Change in # of Women from 06/30/2018
OFFICIAL/ADMINISTRATOR	108	71	41	100%	+7
Upper Management	55	32	18	100%	
Middle Management	53	39	24	100%	
PROFESSIONALS	787	531	343	100%	-5
TECHNICIANS	22	20	3	100%	+18
PROTECTIVE SERVICE WORKERS	16	3	6	50%	-3
PARAPROFESSIONALS	77	69	33	100%	+11
ADMINISTRATIVE SUPPORT	320	261	222	100%	+13
TRADES/MAINTENANCE REPAIR	1	0	0	N/A	NC
SERVICE MAINTENANCE WORKER	3	0	1	0%	NC
Total	1,334	955			
People with Disabilities					
EEO Categories	Total DOJ employees	# of group employed	# of group needed to reach	% of goal achieved	Change in # of PWD from 06/30/2018
OFFICIAL/ADMINISTRATOR	108	3	6	50%	-3
Upper Management	55	2	4	50%	
Middle Management	53	1	2	50%	
PROFESSIONALS	787	19	52	37%	+2
TECHNICIANS	22	0	0	N/A	NC
PROTECTIVE SERVICE WORKERS	16	0	1	0%	NC
PARAPROFESSIONALS	77	1	3	33%	NC
ADMINISTRATIVE SUPPORT	320	6	19	32%	-2
TRADES/MAINTENANCE REPAIR	1	0	0	N/A	NC
SERVICE MAINTENANCE WORKER	3	0	0	N/A	NC
Total	1,334	29			

APPENDIX B: Federal Policy Documentation

- [Age Discrimination in Employment Act of 1967 \(ADEA\)](#)
- [Disability Discrimination Title I of the Americans with Disability Act of 1990](#)
- [Genetic Information Discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 \(GINA\)](#)
- [Equal Pay and Compensation Discrimination Equal Pay Act of 1963](#)
- [Title VII of the Civil Rights Act of 1964](#)
 - a. National Origin Discrimination
 - b. Discrimination
 - c. Race/Color Discrimination
 - d. Religious Discrimination
 - e. Sex-Based Discrimination
 - f. Sexual Harassment
- [Retaliation Title VII of Civil Agency Affirmative Action Policy](#)

APPENDIX C: Agency Policy Documentation

Policy 6-25 Filling Attorney Position Vacancies

Effective Date: December 1, 2000

Review Date: February 2, 2016

Applicability: All full-time and part-time attorneys

References:

(1) Process

The process for hiring AAGs is based on a competitive process.

(2) Vacancies

Vacancies within the Department are posted or announced via the Department's Electronic Information System. Vacancies which are not limited to application by Department employees are announced to women and minority organizations as provided in the Affirmative Action Plan, and otherwise announced and advertised as determined appropriate for each vacancy.

(3) Reassignments

Nothing in this section shall be construed to prevent the Attorney General or designee from otherwise reassigning personnel within the Department when such reassignment does not include an upward change in the attorney's classification.

Department of Justice

Reasonable Accommodation Procedures & Guidelines

Pursuant to:

[DAS CHRO Policy 50-020.01 ADA and Reasonable Accommodation in Employment](#)

EMPLOYEE-RELATED

1. Department of Justice Guidelines

The Department will provide reasonable accommodation to qualified job applicants and employees with disabilities in all matters of employment, unless such accommodations would cause the Department an undue hardship, in order to:

- a. Ensure equal opportunity in the application and selection processes.
- b. Enable a qualified individual to perform the essential functions of a job.
- c. Enable employees to enjoy equal benefits and privileges of employment.

Consideration of accommodation is to be initiated by the applicable supervisor upon a request for accommodation by an applicant or employee.

2. Procedures for Making a Reasonable Accommodation Decision

- a. Look at the particular job involved. Determine its purpose and its essential functions.
- b. Consult with the individual with a disability making the request for reasonable accommodation to find out his or her specific physical or mental disabilities and limitations as they relate to the essential job functions. Identify the barriers to job performance and assess how these barriers could be overcome with an accommodation.
- c. When the need for an accommodation is not obvious, it is permissible to require that the individual with a disability provide documentation of the need for accommodation.
- d. In consultation with the individual, identify potential accommodations and assess how effective each would be in enabling the individual to perform essential job functions. If this consultation does not identify an appropriate accommodation, technical assistance is available from a number of sources (see section 4). There are also financial resources to help with accommodation costs.
- e. If there are several effective accommodations that would provide an equal employment opportunity, consider the preference of the individual with a disability and select the accommodation that best serves the needs of the individual and the Department.
- f. If the individual would prefer to provide his or her own accommodation, this preference should be given first consideration. However, the Department may choose among effective accommodations. (Note: If an individual is willing to provide his or her own accommodation, the Department is not relieved of the duty to provide this, or another reasonable accommodation should this individual for any reason be unable or unwilling to continue to provide the accommodation.)
- g. If a particular accommodation being considered would impose an undue hardship due to reasons of undue cost or substantial disruption to the operation of the particular program or service, the consideration needs to include whether there are alternative accommodations that would not impose such hardship.

- . If the cost of an accommodation would impose an undue hardship on the Department, the individual is to be given the option of providing the accommodation or paying that portion of the cost which would constitute an undue hardship.
- a. Use the appropriate resources identified in the next section, if necessary, to assist in determining reasonable accommodations.
- b. Obtain the concurrence of the Human Resource Manager in any determination of undue hardship.
- c. Maintain documentation of reasonable accommodation determination actions for three years.

3. Guidelines for Making Reasonable Accommodation Decisions

- a. Reasonable accommodation determinations need to be made on an individual basis, taking into consideration two unique factors:
 - I. The specific abilities and functional limitations of a particular applicant or employee with a disability, and
 - II. The specific functional requirements for a particular job.
- b. A reasonable accommodation must be an effective accommodation.
- c. The reasonable accommodation obligation in employment matters applies only to accommodations that reduce barriers to employment related to a person's disability; it does not apply to accommodations that a disabled person may request for some other reason.
- d. A reasonable accommodation need not be the best accommodation available, as long as it is effective for the purpose of giving the person with a disability an equal opportunity to be considered for a job, to perform the essential functions of the job, or to enjoy equal benefits and privileges of the job.
- e. An accommodation that is primarily for personal use is not required.
- f. The Department may decide to provide accommodations beyond those required by law.
- g. If there is a reasonable accommodation that will enable an individual to perform the essential functions of a job, the Department will provide it, unless to do so would impose an undue hardship in the operation of the Department or fundamentally alter the nature of the specific program.
- h. The Department is obligated to make an accommodation only to the **known** limitations of an otherwise qualified individual with a disability. In general, it is the responsibility of the applicant or employee with a disability to inform the Department that an accommodation is needed to participate in the application process, to perform essential job functions, or to receive equal benefits and privileges of employment.
- i. No discussion of reasonable accommodation with a job applicant is appropriate until a conditional offer of employment has been made **unless**:
 - I. The applicant brings up the subject of disability or reasonable accommodation, or
 - II. The applicant has a known disability that would appear to interfere with or prevent performance of an essential job function.

4. Assistance Available for Making Reasonable Accommodation Decisions and Taking Actions

- a. Managers and supervisors can acquire assistance, as applicable, from available outside resources including but not limited to the following:
 - I. Job site modification consultations from:
 - i. The public or private vocational rehabilitation counselor of the individual with the disability.
 - ii. Oregon Occupational Safety and Health Division, Department of Consumer and Business Services
 - iii. Preferred Worker Program for relocating injured state workers
 - iv. SAIF Corporation for work-injured employees

- II. Custom job and work site accommodations consultation are available from the (national) Job Accommodation Network, 1-800-526-7234.
- III. Other technical assistance regarding such matters as job/work site analysis/modification, vocational assessment, other adaptive aides and equipment, and other matters of accommodation from:
 - i. Commission for the Blind, Portland, 971-673-1588
 - ii. Oregon Disabilities Commission, 503-945-5811
 - iii. Division of Vocational Rehabilitation, 503-945-5880
- IV. Assistance regarding all technical matters and accommodation determinations of reasonableness from EEOC's Region X ADA Technical Assistance Center.

5. **Procedures for Providing Notice of Reasonable Accommodation Availability**

Department recruitment announcements and advertisements and other written recruitment/application communications will provide notice of applicants' rights to request and receive reasonable accommodation in all aspects of the employment recruitment/application processes (i.e., completing applications, taking tests, participating in job interviews, and being considered for appointment to perform essential functions of positions).

6. **Procedures for Providing Reasonable Accommodations at Meetings, Training and Other Activities**

- a. Department-sponsored employee meeting, training, social and recreational activities are to be held in wheelchair accessible facilities when such activities have the potential to be attended by employees or other persons who require such accessibility.
- b. Supervisors of employees with disabilities, when providing for the employees' meeting and training needs, are to ensure that:

Facilities which are used for meeting and training purposes for employees with wheelchairs are wheelchair accessible or that comparable alternative training is provided. Advance arrangements are made with meeting conveners and training providers to provide other effective reasonable accommodation needs of the employees.

7. **Examples of Employment-Related Reasonable Accommodations**

- a. Job design and work environment accommodations for potential new employees in the application, testing and selection processes may include:
 - *Making facilities readily accessible to and usable by an individual with a disability.*
 - *Administering alternative employment tests.*
 - *Altering when or how an essential job function is performed.*
 - *Restructuring a job by reallocating or redistributing nonessential job functions.*
 - *Obtaining or modifying equipment or devices.*
 - *Modifying application procedures, examinations, and training materials.*
 - *Providing qualified readers and interpreters.*
 - *Providing alternatives to standard forms of written materials, such as by large print, Braille, audio cassette, etc.*
 - *Allowing an employee to provide equipment or devices that the Department is not required by law to provide.*
- b. Job design and work environment accommodations for current employees, in addition to the above, may include:
 - Part-time or modified work schedules.
 - Reassignment to a vacant position

- Modifying training procedures and materials.
- Job site and facilities accessibility accommodations to enable employees and qualified potential employees to perform essential job functions and demands may include:
 - Removing raised thresholds.
 - Installing a ramp at the entrance to a building.
 - Reserving parking spaces close to the worksite that are wide enough to allow people using wheelchairs to get in and out of vehicles.
 - Making restrooms accessible, including toilet stalls, sinks soap and towels.
 - Rearranging office furniture and equipment.
 - Making a drinking fountain accessible (for example, by installing a paper cup dispenser).
 - Making accessible and providing an accessible "path of travel" to equipment and facilities used by an employee, such as copy machines, meeting and training rooms, lunchrooms, and lounges.
 - Removing obstacles that might be potential hazards in the path of people without vision.
 - Adding flashing lights when alarm bells are normally used to alert an employee with a hearing impairment to emergencies.

8. Overview of Federal and State Law

- a. Reasonable accommodation is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity. The obligation to provide a reasonable accommodation applies to all aspects of employment.
- b. A state agency cannot deny an employment opportunity to a qualified applicant or employee because of the need to provide reasonable accommodation unless it would cause the Agency to incur an undue hardship.
- c. Generally, it is the obligation of an individual with a disability to request a reasonable accommodation.
- d. A qualified individual with a disability has the right to refuse an accommodation. However, if the individual cannot perform the essential functions of the job without the accommodation, he or she may not be qualified for the job.

PROGRAM AND SERVICES-RELATED

1. Department of Justice Policy

- a. The Department will not discriminate on the basis of disability in admission or access to its program and services.
- b. The Department will provide reasonable accommodation to qualified individuals accessing Department programs and services unless such accommodation would result in a fundamental alteration of the program or service or an undue financial or administrative burden.

2. Basic Principles in Making Reasonable Accommodation Decisions

- a. Reasonable accommodation determinations need to be made on an individual basis, taking into consideration two unique factors:
 - The specific abilities and functional limitations of a particular person with a disability who is accessing the program or service, and
 - The specific functional aspects of the particular program or service being accessed.
- b. A reasonable accommodation must be an effective accommodation.

DOJ will provide reasonable accommodation to qualified job applicants and employees with disabilities in all matters of employment, unless such accommodations would cause DOJ an undue hardship, in order to:

- a. Ensure equal opportunity in the application and selection processes.
- b. Enable a qualified individual to perform the essential functions of a job.
- c. Enable employees to enjoy equal benefits and privileges of employment.

3. Assistance Available for Making Reasonable Accommodation Decisions and Taking Actions

- a. Technical assistance regarding adaptive aides and equipment and other matters of accommodation can be obtained from:
 - Commission for the Blind
 - Oregon Disabilities Commission
- a. Assistance regarding all technical matters and accommodation determinations of reasonableness from EEOC's Region X ADA Technical Assistance Center.
- b. Internal assistance including but not limited to obtaining and/or providing:
 - Qualified sign language interpreters by contacting Human Resources
 - Other alternatives to standard modes of communication from Administrative Services
 - Equipment availability (purchase, lease, borrow), cost information, and Acquisition follow-through from Operations, Administrative Service
 - Other information, guidance, and assistance from the Human Resources Manager acting as the Department's ADA Coordinator

4. Examples of Program and Services-related Reasonable Accommodation

- a. Areas in the Department which are frequented by persons accessing Department programs and services are to be posted with notifications:
 - That the Department does not discriminate on the basis of disability in admission or access to its programs and services.
 - How individuals with disabilities can obtain information and
 - other assistance in a more accessible format.
 - How to resolve a grievance alleging Department discrimination on the basis of disability through both the Department's information complaint procedure and enforcement agencies formal complaint procedures.
 - Department publications advising of the availability of programs and services are to include the same information as listed above.
 - Hearings and meetings for the public are to be held in wheelchair accessible facilities and notice of such activities is to include a statement of accessibility and how a person with disabilities can arrange in advance for other accommodations necessary for their effective participation in such activities.
- b. Supervisors and other personnel responsible for having regular contact with clients and/or the public are to be provided training and instruction regarding the Department's reasonable accommodation responsibilities, policy and procedure.

5. Overview of Federal and State Law

- a. For the purpose of dealings with clients, applicants, and the general public, reasonable accommodation is defined as, "action, reasonably possible in the circumstances to make the regular services of the Department accessible to persons who otherwise could not use or fully enjoy the services because of the person's sensory, mental or physical limitation,"
- b. Generally, it is the obligation on an individual with a disability to request a reasonable accommodation
- c. A state agency
 - May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability.
 - May not place special charges on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters.

- Shall operate their programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.
 - Need not remove physical barriers, such as stairs, in all existing buildings as long as they make their programs accessible to individuals who are unable to use an inaccessible existing facility.
 - Can provide the services, programs, and activities offered in the facility to individuals with disabilities through alternative methods, if physical barriers are not removed, such as:
 - Relocating a service to an accessible facility, e.g., moving a public information office from the third floor to the first floor of a building.
 - Providing an aide or personal assistant to enable an individual with a disability to obtain the service.
 - Providing benefits or services at an individual's home, or at an alternative accessible site.
- j. Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, a state agency must provide appropriate auxiliary aids unless such action would result in a fundamental alteration in the nature of a service, program, or activity or an undue financial and administrative burden. However, the Agency must still furnish another auxiliary aid, if available, that does not result in a fundamental alteration or undue burden.
- k. A state agency must provide an opportunity for individuals with disabilities to request the auxiliary aids and services of their choice. The Agency is to honor the choice unless it can demonstrate that either:
- Another effective means of communication exists,
 - Use of the means chosen would not be required under law, or
 - Use of the means chosen would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden.
- f. A qualified individual with a disability has the right to refuse an accommodation

Policy 3-20 Maintaining a Professional Workplace

Effective Date: *September 7, 2007*

Review Date: *June 30, 2015*

Applicability: *All full and part-time employees, temporary employees, and volunteers*

References: [DAS Policy 50.010.03](#)

(1) Purpose

It is the policy of the State of Oregon to create and maintain a work environment that is respectful, professional and free from inappropriate workplace behavior.

(2) Definitions

(a) Professional Workplace Behavior- Supporting the values and mission of the State of Oregon and the Department of Justice, building positive relationships with others, communicating in a respectful manner, holding oneself accountable and pursuing change within the system.

(b) 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.

(i) Examples of inappropriate workplace behavior include but are not limited to, comments or behaviors of an individual or group that disparage, demean or show disrespect for another employee, a manager, a subordinate, a customer, a contractor or a visitor in the workplace.

(ii) Inappropriate workplace behavior does not include actions of performance management such as supervisor instructions, expectations, or feedback, administering of disciplinary actions, or investigatory meetings.

(iii) Inappropriate workplace behavior does not include assigned, requested or unsolicited constructive peer feedback on projects or work.

(c) Protected Class Under Federal Law - Race; color; national origin; sex (includes pregnancy-related conditions); religion; age (40 and older); disability; a person who uses leave covered by the Federal Family and Medical Leave Act; a person who uses Military Leave; a person who associates with a protected class; a person who opposes unlawful employment practices, files a complaint or testifies about violations or possible violations; and any other protected class as defined by federal law.

- (d) Protected Class Under Oregon State Law - All Federally protected classes, plus: age (18 and older); 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; and any other protected class as defined by state law.

(3) Policy

- (a) Conduct - Employees at every level of the agency are expected to foster an environment that encourages professionalism and discourages disrespectful behavior. All employees are expected to behave respectfully and professionally and refrain from engaging in inappropriate workplace behavior.

- (b) Addressing Inappropriate Workplace Behavior
 - (i) Supervisors must address inappropriate behavior that they observe or experience and should do so as close to the time of the occurrence as possible and appropriate.
 - (ii) If an employee observes or experiences inappropriate workplace behavior and the employee feels comfortable in doing so, he/she should:
 - a. redirect inappropriate conversations or behavior to workplace business; and/or
 - b. tell an offending employee his/her behavior is offensive and ask him/her to stop.

- (c) Reporting Inappropriate Workplace Behavior
 - (i) An employee should report inappropriate workplace behavior he/she experiences or observes to his/her immediate supervisor as soon as practicable. If the employee's immediate supervisor is the one engaging in the inappropriate behavior, the employee should report the behavior to upper management, the AG's Office or the Human Resource Section, as soon as practicable. The report may be made orally or in writing.

- (ii) If past practice exists in the agency, an employee who is represented by a labor union may have a union representative present during regular work hours, when reporting inappropriate workplace behavior and through the process set forth in this policy. The union representative must not be a witness or party to the investigation.
 - (iii) Reporting behavior or conduct directed toward an employee because of his/her protected class status is addressed in DOJ Policy 3-21, Discrimination and Harassment Free Workplace.
- (d) 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 employee morale. Unless the agency decides otherwise, the supervisor of the employee allegedly engaging in the inappropriate workplace behavior must investigate the report as soon as possible.
- (e) Consequences
 - (i) 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.
 - (ii) A supervisor who fails to address inappropriate behavior will be counseled or, depending on the severity of the behavior, may be subject to disciplinary action, up to and including dismissal.
- (f) Retaliation - Retaliating against someone for reporting or addressing inappropriate workplace behavior is prohibited. 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.

The Department of Justice holds an expectation of all employees to maintain a professional workplace. All employees shall be treated in a respectful and dignified manner. Failure to do so constitutes a violation of DAS and DOJ policy

Anyone who is **subject to or observes** inappropriate behavior may file a complaint. The following policies provide information on definitions, reporting information, consequences, and retaliation.

DAS CHRO Policy 50-010-003 Maintaining a Professional Workplace

<https://www.oregon.gov/das/Policies/50-010-03.pdf>

DOJ Policy 3-20 Maintaining a Professional Workplace

[Policy 3-20 Maintaining a Professional Workplace](#)

Reports of Inappropriate Workplace Behavior should be reported to your immediate supervisor. If you are uncomfortable reporting the behavior to your immediate supervisor, you may make your complaint to another manager, the Division Administrator, or the Human Resources Director.

The manager receiving the complaint may consult with the Human Resources Section or, depending on the circumstances, elevate the complaint to the Human Resources Director. The complaint will be assigned to the appropriate Senior HR Business Partner.

If the complaint remains unresolved at the division level, you may elevate your complaint through the following levels until resolution or closed by DAS CHRO.

- > Human Resources Section. Forward your complaint to your Division’s Senior HR Business Partner listed below:

Shari Higgins 503-947-4353 shari.higgins@doj.state.or.us	Mistie Slauson 503-378-5595 Mistie.r.slauson@doj.state.or.us	Chris Osterhoudt 503-947-4352 chris.osterhoudt@doj.state.or.us
Legal Divisions	ASD	Child Support

- > Office of the Attorney General, Deputy Attorney General

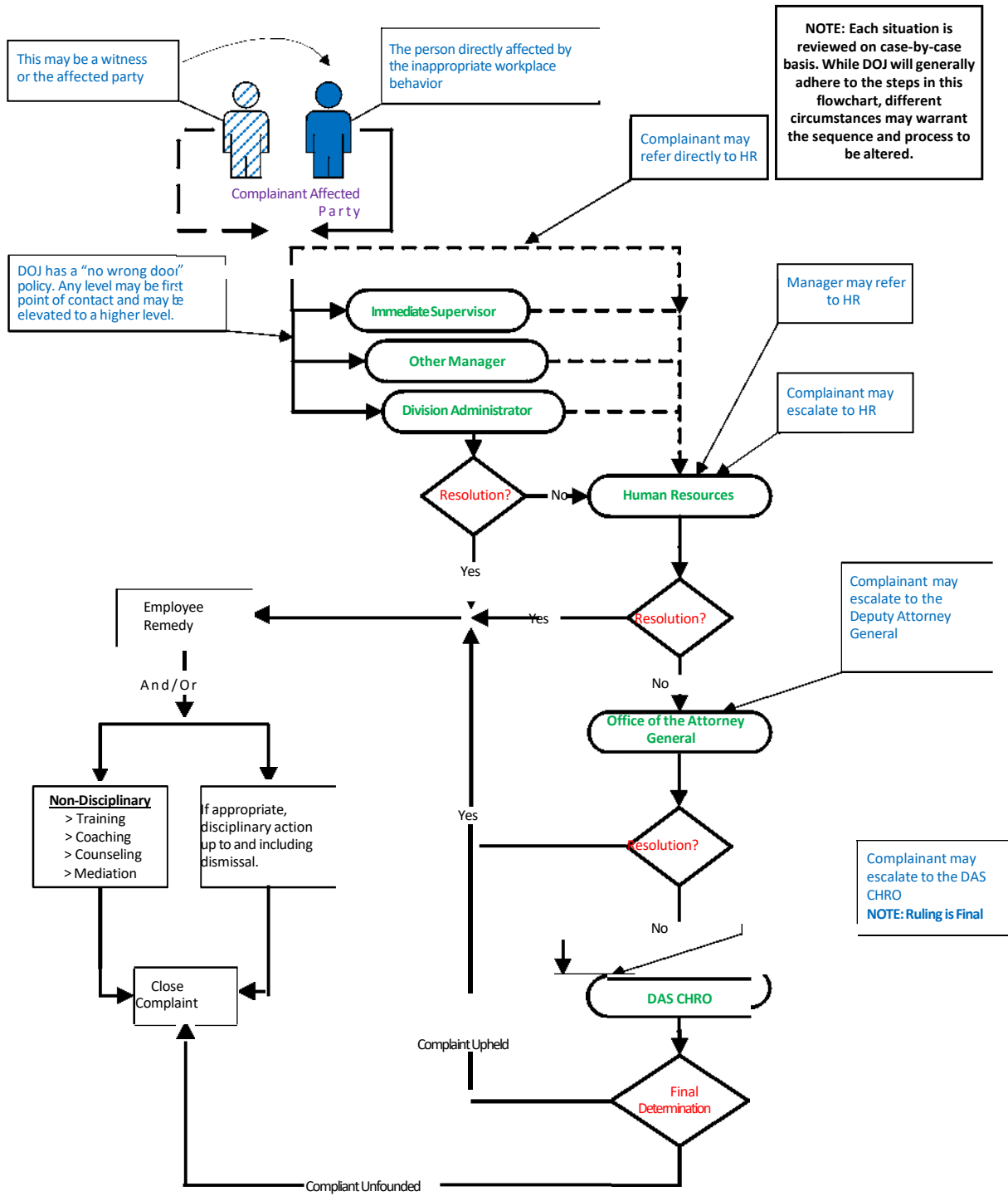
lisa.udland@doj.state.or.us

- > Department of Administrative Services (DAS), Chief Human Resources Office (CHRO). They may be contacted at:

chro.investigations@das.oregon.gov

DAS CHRO will conduct an independent investigation. The resulting decision is final and may not be appealed.

Nothing in this procedure precludes the complainant from contacting their labor union.



DEPARTMENT OF JUSTICE, COMPLAINT PROCEDURE FOR INAPPROPRIATE WORKPLACE BEHAVIOR

***Resolution:** Employee accepts the outcome of the investigation.



COMPLAINT FORM

DISCRIMINATION, HARASSMENT AND WORKPLACE ISSUE(S)

DISCLOSURE

Filing a written complaint is voluntary. Oregon state government takes all complaints of discrimination, harassment, unethical, unfair or unprofessional conduct seriously. Information submitted on this form is treated confidentially. Names and other identifying information is disclosed when it is necessary for investigation purposes. It is illegal to be intimidated, threatened, coerced, discriminated or retaliated against for filing this complaint. You are not required to use this form.

PLEASE PRINT OR TYPE (Attach extra pages as necessary.)

YOUR NAME		EMPLOYEE ID #
HOME PHONE (Please include area code)	WORK PHONE (Please include area code)	
STREET ADDRESS	CITY, STATE, ZIP	
EMAIL ADDRESS (If available)	ALTERNATE CONTACT METHOD (If applicable)	
AGENCY / DIVISION / SECTION	WORK LOCATION	

PLEASE IDENTIFY THE PERSON(S) AND/OR DIVISION/SECTION AGAINST WHOM/WHICH YOU ARE FILING THIS COMPLAINT.

AGENCY / DIVISION / SECTION

PHONE NUMBER

Please answer the following questions pertaining to your complaint. (Attach additional pages as necessary.)

Describe what happened. Please be as specific as possible including dates.

How does this adversely / negatively impact you?

Witnesses. List all names and positions of anyone who witnessed the conduct or incident.

Have you attempted to resolve the concern? If so, please describe in detail.

Do you believe that the action(s) taken against you were because of a protected class*

**Protected class may include the following (for a complete list refer to State HR Policy, Discrimination and Harassment Free Workplace 50.010.01): age, color, disability, sex, family medical leave, medical condition, religion, national origin/ancestry, race, sexual orientation, veteran status.*

SIGNATURE *(Please sign and date this form. You do not need to sign if submitting via email, email submission represents signature.)*

PLEASE INCLUDE ANY DOCUMENTATION YOU BELIEVE IS RELEVANT TO YOUR COMPLAINT.

RETURN THIS FORM TO:

OREGON DEPARTMENT OF JUSTICE
HUMAN RESOURCES OFFICE
1162 Court Street
Salem, OR 97301-4096
FAX #: 503-373-0367
[EMAIL: DOJHumanResources@doj.state.or.us](mailto:DOJHumanResources@doj.state.or.us)

FOR AGENCY HR USE ONLY. THIS FORM WAS COMPLETED BY:

Complainant (employee filing the complaint)	HR Employee (name)
Another employee (on behalf of complainant)	Manager / Supervisor (name)
Other (specify)	

FOR AGENCY HR USE ONLY. THE INFORMATION ON THIS FORM WAS GATHERED:

By phone	In person
	Other (specify)



COMPLAINANT CONSENT FORM

DISCLOSURE OF IDENTITY DURING INVESTIGATION

In order to expedite the investigation of your complaint, please read, sign, and return a copy of this consent form with your complaint. Please make a copy for your records.

- As a complainant, I understand that in the course of the investigation of my complaint it may become necessary to reveal my identity or identifying information about me to person(s) at the entity or agency under investigation or to other persons, agencies, or entities.
- I also understand that it may be necessary to disclose personally identifying information, gathered as a part of the investigation of my complaint.
- In addition, I understand that as a complainant I am protected from being intimidated, threatened, coerced, retaliated, or discriminated against because I have made a complaint, testified, assisted, or participated in any manner in mediation, investigation, hearing, proceeding, or any other part of this investigation.

PLEASE PRINT OR TYPE	
YOURNAME	EMPLOYEEID#
HOME PHONE (Please include area code)	WORK PHONE (Please include area code)
STREET ADDRESS	CITY, STATE, ZIP

SIGNATURE *(Please sign and date this form. You do not need to sign if submitting via email, email submission represents signature.)*

EMPLOYEE SIGNATURE

DATE

Policy 3-26 Employee Training

Effective Date: *December 1, 2000*

Last Revised: *April 11, 2016; August 1, 2004*

Applicability: *All regular status employees and temporary law clerks.*

References:

(1) Policy

The Department, through training and education, seeks to improve job performance, increase professionalism, increase diversity and inclusion, and enhance career opportunities in order to conduct its business effectively and efficiently.

(2) Areas for Training

The areas appropriate for training include:

- (a) Orientation of new or newly-assigned employees,
- (b) Technical and professional skills necessary to perform assigned jobs and meet new demands,
- (c) Management skills for management personnel,
- (d) Information System applications,
- (e) Job-related skill development (e.g., written communication, oral communication, time management, customer service),
- (f) Diversity and inclusion, and
- (g) Department policies, practices, and procedures.

(3) Approval of Non-CLE Training and Development Requests

- (a) An employee must request and receive approval for training from his or her supervisor (and Deputy AG if the training is out of state) before registering and/or attending the training, if the employee desires the state to bear any part of the training costs.
- (b) Division Administrators are responsible for establishing a process for review and approval of requests for training and development, except as follows;
 - (i) Out-of-state programs require approval of the Deputy AG (after approval by Division Administrator), and
 - (ii) Out-of-state travel requires approval of the Deputy AG (after approval by Division Administrator).
- (c) In approving requests, Division Administrators or their designees shall apply the following guidelines:

- (i) Available funding,
- (ii) Benefit to the Department,
- (iii) Equitable allocation of funds among personnel,
- (iv) Other agency priorities, and
- (v) The requesting employee's work performance record and commitment to the training subject.

(4) Tuition Reimbursement (Not applicable to Law Clerks)

Employees may request financial assistance for educational coursework (coursework that receive credits from an educational institution) relevant to their job duties. Such requests shall be made in writing to an employee's division administrator prior to beginning the coursework. If the division administrator approves the request, that approval shall be in writing and subject to (a) and (b) below.

- (a) The employee must be on regular status within the Department at the start and at the completion of the educational coursework attended.
- (b) The employee must successfully complete the educational coursework.

(5) Law Clerk Training

- (a) The Department recognizes that it is of mutual benefit to grant Law Clerks release time from scheduled work hours, either paid or unpaid, to attend specific training opportunities, including CLEs.
- (b) Paid or unpaid release time will be granted at the discretion of the Division Administrator.
- (c) Release time may be paid time if the training subject is directly related to the work of the Law Clerk.