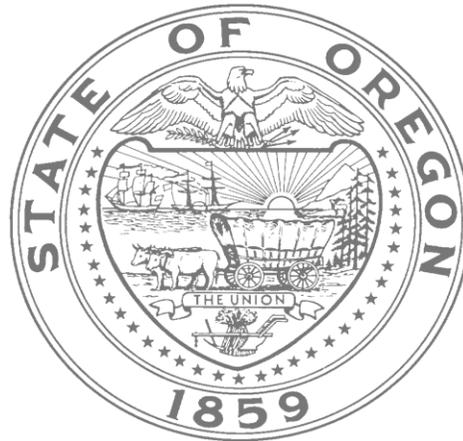


# AFFIRMATIVE ACTION PLAN



## Occupational Therapy Licensing Board

Felicia Holgate, Executive Director  
800 NE Oregon St., Suite 407  
Portland, OR 97232  
971-673-0198

Diversity & Inclusion/Affirmative Action Plan  
July 1, 2015 – June 30, 2017

*"We hold these truths to be self-evident, that all People\* are created equal,  
that they are endowed by their Creator with certain unalienable Rights,  
that among these are Life, Liberty, and the Pursuit of Happiness."*

*-- U.S. Declaration of Independence*



# Oregon

John A. Kitzhaber, MD, Governor

## Occupational Therapy Licensing Board

---

800 NE Oregon Street, Suite 407

Portland, OR 97232

Phone: 971-673-0198

Fax: 971-673-0226

E-mail: [Felicia.M.Holgate@state.or.us](mailto:Felicia.M.Holgate@state.or.us)

Web: [www.oregon.gov/otlb](http://www.oregon.gov/otlb)

July 14, 2014

Frank Garcia, IV, M.A.  
Senior Policy Advisor, Office of the Governor  
Diversity & Inclusion/Affirmative Action  
255 Cottage Street NE, Suite 126  
Salem, OR 97301

RE: 2015-17 Occupational Therapy Licensing Board –  
Diversity & Inclusion/Affirmative Action Plan

Dear Mr. Garcia:

The Executive Director and members of the Occupational Therapy Licensing Board (Board) recognize and appreciate the benefit of Diversity & Inclusion/Affirmative Action. The Board pledges its commitment to promote best practices in support of equal employment opportunity and to achieve the full and fair contribution of minorities, women, people with disabilities, older persons, and all protected classes found to be under utilized in the workforce.

As the only full-time position, the Board's Director has been in the position for the ten years. There is only one part time staff position. The Director continues to make multicultural training a priority and works to meet the objectives of the Affirmative Action and Equal Employment Opportunity initiative. The Board's Diversity & Inclusion/Affirmative Action Plan and Policy Statement serve to help prevent and help eliminate discrimination of protected classes.

This biennium, the Director has continued to work with the Oregon Health Authority, Office of Health Analytics to collect diversity information of therapist and that research summary is found as part of this report. The Board drafted rules to promote cultural competency and make it part of the Continuing Education of therapists.

We pledge to uphold and support compliance with the Board's Diversity & Inclusion/Affirmative Action Plan and Policy, to ensure equality and avoid discrimination, and to promote a workforce that is representative of the population as a whole.

Thank you for your continued direction and support.

Respectfully submitted,

Felicia Holgate  
Executive Director

## Table of Contents

### **I. Description of Your Agency**

- A. Mission and Objectives
- B. Name of Agency Director/Administrator
- C. Name of Governor's Policy Advisor for your agency
- D. Name of Affirmative Action Representative
- E. Name and contact information for Director of Diversity, Inclusion and Equity officer
- F. Organizational Chart

### **II. Affirmative Action Plan**

- A. Agency Affirmative Action Policy Statement
- B. Agency Diversity & Inclusion Statement
- C. Training, Education, and Development Plan (TEDP)
  - 1. Employees
  - 2. Volunteers
  - 3. Contractors/Vendors
- D. Programs
  - 1. Internship Program(s): a. formal b. informal
  - 2. Mentorship Program(s)
  - 3. Community Outreach Programs: a. Career Fairs b. Community events  
c. Trade Specific Events
  - 4. Diversity Awareness Program(s) a. Agency-Wide Council b. Employee resource Groups/Affinity Groups c. Diversity Presentations and/or Activities
  - 5. Leadership Development/Training Programs a. EEO data of trainees b. Results
- E. Update: Executive Order 08-18
  - 1. Cultural Competency Assessment and Implementation Services
  - 2. Statewide Exit Interview Survey
  - 3. Performance Evaluations of all Management Personnel
- F. Status of Contracts to Minority Businesses (ORS 659A.015) a. Numbers B. Why

### **III. Roles for Implementation of Affirmative Action Plan**

- A. Responsibilities and Accountabilities
  - 1. Director/Administrators
  - 2. Managers and Supervisors
  - 3. Affirmative Action Representative

### **IV. July 1, 2012 - June 30, 2014**

- A. Accomplishments
- B. Progress made or lost since previous biennium

### **V. July 1, 2014 - June 30, 2017**

- A. Goals for your Affirmative Action Plan
- B. Strategies and time lines for achieving your goals

## **VI. Appendix A**

### Agency's Policy Documentation

1. ADA and Reasonable Accommodation Policy
2. Discrimination and Harassment Free Workplace (Statewide Policy No 50.010.01)
3. Employee and Training Policy
4. Veterans Preference in Employment
5. Maintaining a Professional workplace No 50.020.03

See DAS Statewide Policies at [www.oregon.gov/DAS/CHRO/pages/rules.aspx](http://www.oregon.gov/DAS/CHRO/pages/rules.aspx)

### Oregon Health Authority:

Workforce Data collection charts

## **VII. Appendix B**

1. Age Discrimination in Employment Act of 1967 (ADEA)
2. Disability Discrimination Title I of the Americans with Disability Act of 1990
3. Equal Pay and Compensation Discrimination Equal Pay Act of 1963, and Title VII of the Civil Rights Act of 1964
4. Genetic Information Discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
5. National Origin Discrimination Title VII of the Civil Rights Act of 1964
6. Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
7. Race/Color Discrimination Title VII of the Civil Rights Act of 1964
8. Religious Discrimination Title VII of the Civil Rights Act of 1964
9. Retaliation Title VII of the Civil Agency Affirmative Action Policy
10. Sex-Based Discrimination Title VII of the Civil Rights Act of 1964
11. Sexual Harassment Title VII of the Civil Rights Act of 1964

1.

**DESCRIPTION OF AGENCY**

**A. Mission and Objectives**

The Occupational Therapy Licensing Board’s (Board) mission is to protect the public by supervising occupational therapy practice and to assure safe and ethical delivery of occupational therapy services. The Board was created in 1977 and authorized by ORS 675.210 to license and regulate occupational therapists in Oregon. The Board licenses all Occupational Therapists and Occupational Therapy Assistants in the state. The Board:

- Establishes education, training, examination, licensing, and renewal requirements.
- Reviews, approves or denies applications.
- Reviews and investigates complaints, which could result in disciplinary action ranging from a civil penalty to revocation of license; or informal action such as education, review, or visit to facility.
- Drafts and adopts administrative rules.
- Reviews and approves audits of continuing education for licensees.

**B. Agency Executive Director:**

Felicia Holgate, Oregon Occupational Therapy Licensing Board  
800 NE Oregon Street, Suite 407, Portland, OR 97232 971-673-0198

**C. Governor’s Policy Advisor:**

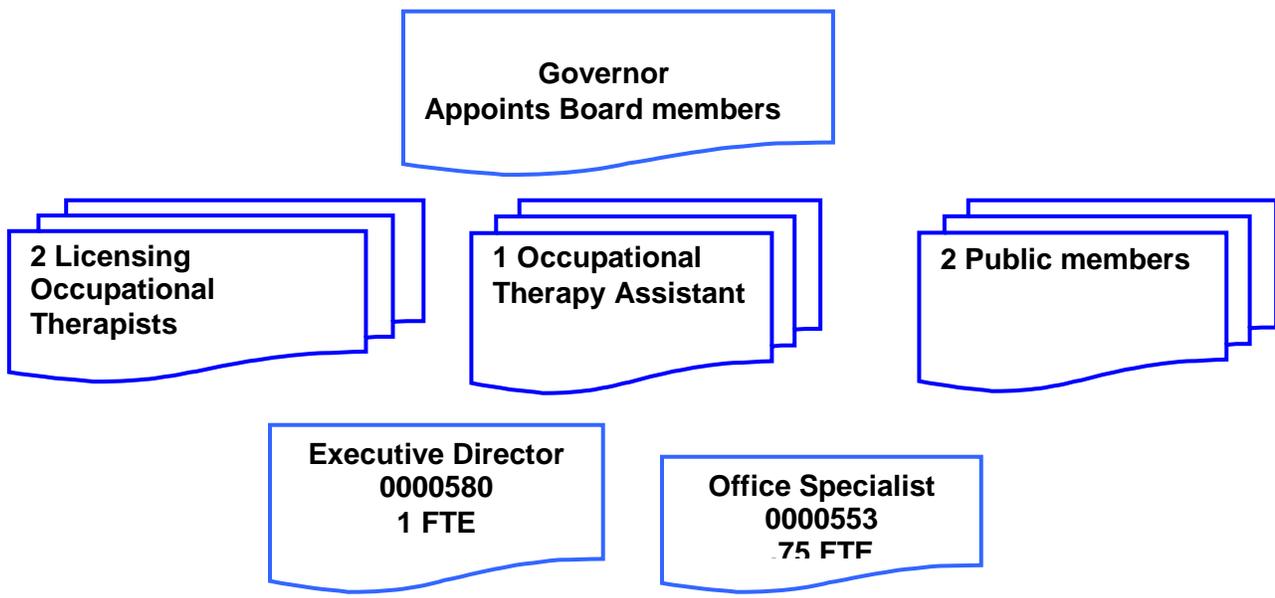
Sean Kolmer, Healthcare Policy Advisor, Governor’s Office, Oregon Health Authority  
500 Summer Street NE E-20 Salem, OR 97301 Ph: 503-798-2208 Sean.P.Kolmer@state.or.us

**D. Agency Affirmative Action Representative:** Felicia Holgate Ph: 971-673-0196

**E. Agency Diversity, Inclusion and Equity Officer:** Felicia Holgate Ph: 971-673-0196

**F. Organizational Chart:**

**Director:** Management, Executive Director hired and works for the Board **Part-time staff:** Office Specialist. Both are white women. Part-time staff FTE to increase.



## **II.**

## **AFFIRMATIVE ACTION PLAN**

### **A. Agency Affirmative Action Policy Statement**

#### Introduction

The purpose of this plan is to update and maintain the previously initiated affirmative action program for the Occupational Therapy Licensing Board (Board) in keeping with the directive of the Governor, state and federal laws and regulations, executive orders of the President of the US concerning affirmative action, discrimination/non-discrimination guidelines appropriate under the Civil Rights Acts, equal employment opportunity (EEO) policies, and the Americans with Disabilities Act.

#### Policy Statement

The Occupational Therapy Licensing Board will not tolerate discrimination or harassment on the basis of age, color, marital status, mental or physical disability, national origin, race, religion, sex, sexual orientation, or any reason prohibited by state or federal statute. Nor shall the Board do business with any vendor/provider for the state of Oregon who discriminates or harasses in the above-described manner. All personnel actions of the Board, and all licensing actions and disciplinary actions shall be administered according to this policy.

All staff of the Board shall adhere to the Affirmative Action Policy and Plan. Supervisory and management staff, in particular, shall assure that the intent as well as the requirements are implemented in all employee relationships and personnel practices. In addition, it is the duty of every employee of the Board to create a job environment atmosphere which is conducive to non-discrimination policies and free of any form of discrimination or harassment. The application of this policy is the individual responsibility of all administrative and supervisory staff, and each shall be evaluated on his/her performance in achieving this affirmative action policy as well as in other job performance criteria. The Affirmative Action Plan is posted on the Board's website and a hard copy is available at the Board office. The Affirmative Action Policy Statement is posted on the bulletin board where all other required posters are located. Failure to meet Affirmative Action standards is subject to disciplinary action.

All employees shall be advised of the procedure for lodging a discrimination/ harassment complaint, and all employees with concerns of any kind related to affirmative action shall be encouraged to bring them to the attention of the Executive Director. Internal procedure supports the statewide policy is located in this plan.

It is further the policy of the Board to establish and maintain this program of affirmative action to provide for a method of eliminating any effects of past or present discrimination, intended or unintended, which may be indicated by analysis of present employment patterns, practices, or policies.

#### Duration of Plan

This revision of the Board's Affirmative Action Plan is effective July 1, 2015 and shall be evaluated annually or as needed when statewide changes occur.

The Board's Affirmative Action Representative is Felicia Holgate, Director, 971-673-0198.

## **B. Agency Diversity and Inclusion Statement**

A Federal Executive order gives priority to the development and implementation of a comprehensive, integrated, and strategic focus on diversity and inclusion as a key component of their human resources strategies. It includes an effort to identify and adopt best practices to promote diversity and inclusion and to identify and remove barriers to equal employment opportunity.

The OT Licensing Board's commitment is to equal opportunity, diversity, and inclusion and a continued goal to accomplishing our mission in recruitment policies to "endeavor to achieve a work force from all segments of society," while avoiding discrimination for or against any employee or applicant on the basis of race, color, religion, sex (including pregnancy or gender identity), national origin, age, disability, sexual orientation or any other prohibited basis. (5 U.S.C. 2301(b)(1), 2302(b)).

State Agencies, Boards and Commissions have an obligation to seek to attain a diverse, qualified workforce as a cornerstone of the merit-based state service. A continued goal is to use the resources of all our citizens and to ensure fairness and justice in the workplace. But more than that, Diversity is more broadly defined to being open to diversity of thought, and the perspective that being open to diversity enriches our lives and helps us realize our full potential. Diversity and Inclusion is a moral and business imperative to improve our public service within the State of Oregon.

Even with difficult budget restraints, there is an increased demand for innovation and efficiency. State Agencies can look to a diverse and inclusive workforce to help meet the future challenges of the State of Oregon. Our state population is changing and we recognize that inclusion and diversity, by creating a culture that fosters creativity and inclusion, are positive for us individually, for our workforce, and for the State of Oregon.

The Federal Office of Diversity and Inclusion Strategic Plan in the Personnel Office states: "research shows that recruiting with an emphasis on cultural, experiential, and cognitive diversity will improve agencies' prospects of having a workforce that is capable of addressing increasingly complex challenges more efficiently".

**Workforce diversity** is defined as "a collection of individual attributes that together help agencies pursue organizational objectives efficiently and effectively. These include, but are not limited to, characteristics such as national origin, language, race, color, disability, ethnicity, gender, age, religion, sexual orientation, gender identity, socioeconomic status, veteran status, and family structures. The concept also encompasses differences among people concerning where they are from and where they have lived and their differences of thought and life experiences".

**Inclusion** is defined as "a culture that connects each employee to the organization; encourages collaboration, flexibility, and fairness; and leverages diversity throughout the organization so that all individuals are able to participate and contribute to their full potential."

Best practices for diversity and inclusion include working on leadership, accountability, measurement, and training. The following goals are necessary for the successful growth of diversity and inclusion.

1. Recruit from a diverse, qualified group of potential applicants to secure a high-performing workforce drawn from all segments of American society.
2. Cultivate a culture that encourages collaboration, flexibility, and fairness to enable individuals to contribute to their full potential and further retention.
3. Develop structures and strategies to equip leaders with the ability to manage diversity, be accountable, measure results, refine approaches on the basis of such data, and institutionalize a culture of inclusion.

## **C. Training, Education and Development Plan and Schedule of:**

### **1. Employees**

- a. Train and inform managers, supervisors, and employees at New Employee Orientation on their rights and responsibilities under the Board's affirmative action plan and other Board policies to eliminate discrimination or harassment on the basis of age, color, marital status, mental or physical disability, national origin, race, religion, sex, sexual orientation, or any reason prohibited by law.
- b. Managers and employees will attend trainings in the areas of AA/EEO, Valuing Diversity and Harassment. Training may be in the form of formal classes, sharing of information from the Governor's Affirmative Action Office, attending AA meetings and/or one-on-one discussions.
- c. Managers will be evaluated annually for their adherence to this Affirmative Action Plan.
- d. The Director is the only full time Employee of the Board and is eligible to retire within the next five years. Succession planning is critical for the seamless transition of employees in key positions. The Board will develop a plan to prepare and help transition for a new Executive Director when needed.
- e. It is the policy of the Board to provide resources for employees to encourage their career development in state service, as is reasonably practicable to do. To accomplish this mission, the Board may provide opportunities for training to employees for developing proficiency, enhancing skills and encouraging development in areas for potential advancement. Staff shall be eligible for mandated and required training. Suggested training opportunities will be considered by management.
- f. A training plan designed to reinforce the mission and values of the Board is important. Employees need an opportunity to participate in trainings to develop job skills and increase knowledge and understand their rights and responsibilities as discussed in the Affirmative Action Plan.

The Affirmative Action and Diversity Plan is made available and accessible to all board members, employees and contractors. New employees are provided the Board's Affirmative Action and Diversity Plan and encouraged to review and discuss questions or concerns. The Board will continue to educate managers and staff and focus on developing a work environment that is attractive to a diverse pool of applicants, retain employees and is accepting and respectful of employee's differences.

The Board posts a copy of the Affirmative Action and Diversity Plan on its web site and a copy is available to each new employee as part of their orientation. The Board's recruitment announcements and advertisements will identify the Agency as an Equal Opportunity /Affirmative Action employer and include: "The Occupational Therapy Licensing Board is an equal opportunity, affirmative action employer committed to work force diversity".

**Board Members:** Provide new Board Members with a copy of the Affirmative Action Plan or direct them to the Board's website where the Plan is available for public viewing and invite them to participate in the Board's cultural diversity training sessions.

**2. Volunteers:** The Board does not have any volunteers.

**3. Contractors/Vendors:** When contracts are established or renewed, the Board provides vendors with a copy of the Affirmative Action Plan or directs them to the Board's website where the Plan is available.

## D. Programs

1. Internship programs, formal or informal: **With an FTE of 1.25** there are None
2. Mentorship programs: **With an FTE of 1.25** there are None
3. Community Outreach Programs(s): a. Career Fairs, b. Community Events/ Festivals  
d. Trade-Specific Events: **With FTE of 1.25** there are None
4. Diversity Awareness programs: a. Agency Wide b. Employee Resource Groups  
c. Diversity presentations and/or Activities
5. Leadership Development/Training programs: **With FTE of 1.25** there are None

However, though the Board does not have specific programs they do work with the Workforce Data to collect and provide information on diversity, ethnicity, language and other information of Licensees. The 2012 data is found under the heading “Accomplishments” which follows.

Though the Board does not have Internship, Mentorship and other programs, the Board uses a number of approaches in executing a diversity program and bringing new people into the work force, creating opportunities for existing employees, and promoting an environment that is welcoming, tolerant and supportive.

Some of the initiatives and activities include:

- Communicating to all staff in a variety of ways the importance of diversity;
- Asking staff to focus on the organization and provide suggestions to improve our diversity.
- Making presentations to community organizations like the state Association meetings and conferences and higher educational facilities about the Board thereby creating interest in positions;
- Drawing upon sources to advertise recruitments such as the new state recruiting system E-Recruit, and increase awareness of openings by contacting minority and community organizations.
- Promoting a respectful workplace by offering training on diversity awareness, improving communications, conflict management, and an open atmosphere to talk about problems and ideas;
- Creating a welcoming environment by fostering an acceptance of people’s differences and treating everyone with respect and professionalism whether they are staff or customer;
- Posting notices and forwarding e-mails that talk about cultural activities and other information that supports diversity and tolerance;
- Displaying the agency’s commitment to the Affirmative Action Plan by publicizing it on their website and having copies available at the Board office. Note: There is No Internship program.

## E. Update: Executive Order 08-18

### 1. Cultural Competency Assessment and Implementation Services

As part of the Board’s 2015-2017 Affirmative Action Plan, the agency will increase multicultural training through staff meetings and strive to seek diversity and cultural competency within our staff and Board Members. We will seek additional training to occur in the 2013-15 biennium. The Director wrote rules to include cultural diversity as Board approved Continuing Education.

The Board, with a staff of 1.25 FTE to increase to 1.75 does not currently have a Cultural Competency Assessment. However, we do recognize that a culturally competent organization is able to use the policies, people and resources it has to anticipate, recognize and respond to varying expectations of customers and employees. A culturally competent organization values individuals for their differences instead of expecting individuals to adapt to the organizations culture. The Board will continue to benefit from working toward having cultural competence.

The Board will plan to enhance cultural competence in the 2015-2017 Biennium. Implementation results in:

- People of diverse backgrounds and experience effectively working together;
- People understanding and appreciating one another's differences;
- People effectively communicating with and being respectful of those differences; and

The plan will focus on:

- Licensees understanding and appreciating the value of the Board's requirements.
- Greater awareness among the members of the Board's workforce;
- Enhance effective communication and utilizing differing strengths;
- Identifying training events that all employees will enjoy and participate in; and
- An increased respect for and understanding of diverse cultures within the workforce.

The Board will benefit by:

- Utilizing unique strengths and perspectives to solve problems and enrich the work environment;
- Creating a climate of cultural awareness and a welcoming environment that honors diversity;
- Making a stronger and more cohesive workforce rallied together by a common goal of success;
- Having a greater understanding of the world in which we work and the customers we serve; and
- Preventing and overcoming misunderstandings, lost opportunities and conflict.

- 2. Statewide Exit Interview Survey:** The Board will offer exit interviews to departing staff and follow-up with the Director on any concerns or trends. The Board will ensure departing employees go to the State link for the exit interview survey monkey required by the Governor's Affirmative Action Office
- 3. Performance Evaluations of all Management Personnel:** The Board remains committed to compliance with the Governor's executive orders requiring the inclusion of diversity and affirmative action requirements in position descriptions and annual performance evaluations. Performance accountability in the areas of Affirmation Action and Diversity will be reviewed during annual evaluations.
- 4. Status of contracts to Minority Businesses (ORS 659A.015):** The Board does not have any contracts that exceed \$5,000 with minority businesses. The few contracts the Board has are with subject matter experts that are called upon for single-need issues. With an FTE of less than two and other funds there are no other contracts aside from specific consultation requiring subject matter expertise and IT services.

### **III. Roles for Implementation of Affirmative Action Plan**

#### **A. Responsibilities and Accountabilities**

##### **1. Director**

- Foster and promote to employees the importance of a diverse and discrimination and harassment free workplace. Participate in cultural diversity trainings, orientations, and be an example of cultural sensitivity.
- As needed, meet with the Board's Human Resource Manager to review equal employment opportunities, evaluate affirmative action and diverse work environment progress, and identify problems. Approve strategies and timetables for meeting goals.
- The Annual performance reviews will include ratings on the Director's support and effectiveness of the agency's Affirmative Action Plan.
- Hold managers accountable for participating in and promoting affirmative action activities and for communicating this same responsibility to their subordinate supervisors and employees. The effectiveness of managers and supervisors in promoting the affirmative action activities, goals and objectives for the Board will be included in their annual performance appraisals. ORS 659.025(1) states:

*“To achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, handicap or age, every state agency shall be required to include in the evaluation of all management personnel the manager’s or supervisor’s effectiveness in achieving affirmative action objectives as a key consideration of the manager’s or supervisor’s performance”.*

2. **Managers and Supervisors:** *The Director is the only manager/supervisor shall follow above and:*
- a. Encourage a welcoming environment.
  - b. Inform applicants for vacant positions that the Board is an equal employment employer committed to workforce diversity. Have a copy of the Board’s Affirmative Action Plan available for applicants.
  - c. Work with the Human Resources Section to utilize State of Oregon procedures/rules to fill vacancies.
  - d. Attend equal opportunity, affirmative action and diversity-related training to be informed of issues.
  - e. Display the Board’s Affirmative Action Policy Statement and have available a hard copy of the Affirmative Action Plan in the office. A copy is posed on the Board website.
  - f. Act in a timely manner if aware of any Board employee engaging in any type of harassment.
  - g. Periodically report to employees on the Board’s progress in attaining its’ affirmative action goals
  - h. Be held accountable for promoting affirmative action on their annual performance evaluations.

3. **Affirmative Action Representative**

- a. *The Executive Director is the only manager.* The Director and supervisor promotes a diverse workforce environment and helps attain the AA goals of the Board; encourage the retention of existing employees and create new learning opportunities for them.
- b. The Executive Director reports on the AA plan with one-on-one staff meetings; obtains support for changes to reach goals/objectives; responds to AA issues, attends AA meetings.
- c. Emphasize the Board’s support of equal employment opportunity, affirmative action and the benefits of a diverse workforce.
- d. Place the statement “The Occupational Therapy Licensing Board is an equal opportunity, affirmative action employer committed to work force diversity” on announcements & advertisement.
- e. Train managers to have diverse interview panels including, when possible, one member who works outside the hiring section/division and one member from a protected class.
- f. Research training opportunities and topics for presentation to all staff. Actively participate in those trainings.
- g. Have hard copies and/or electronic copies of the Board’s Affirmative Action Policy Statement and Plan available for all staff. Make copies available to applicants. Recommend changes to the Plan and update it as required. Compile statistics and keep management informed of the Board’s AA status during management meetings. Solicit comments how to assist in promoting affirmative action activities and how best to create a more diverse workforce.
- h. Discuss the State of Board’s Affirmative Action Plan and Policy in New Employee Orientation. Make the orientation as welcoming as possible. Include in the discussion:
  - Expectations surrounding a respectful workplace, what it means to agency and employee.
  - Commitment to supporting the personal and professional growth of our employees.
  - Encourage to contribute and participate in agency activities to agency to meet objectives.
  - Keep doors always open for questions and concerns.
- i. Train and inform managers, supervisors and employees at New Employee Orientation as to their rights and responsibilities under the Board’s affirmative action policy and other Board policies to eliminate any harassment based on race, sex, age, religion, sexual orientation, or disability.
- j. Respond to and investigate complaints. Enforce policies and procedures.

- k. Offer the Statewide Exit Interview Survey to all terminated employees. Analyze for trends. If it appears that discrimination or harassment was a factor in employee separation, conduct an investigation and take appropriate action. Inform the Executive Director of the results.
- l. Evaluate revised and new policies for possible adverse impact on the Board's commitment to affirmative action and equal employment opportunities.
- m. Serve as a liaison between the Board, the state and federal agencies that protect civil rights.

#### **IV. JULY 1, 2012-JUNE 30, 2014**

##### **A. Accomplishments**

1. There is only one part-time position beside the Director for which the Board is requesting an increase from .25 FTE to .75 FTE. This person is a white woman.
2. If there are other staff changes the process of hiring will be conducted in a way that will provide the most diverse candidate pool possible. Every candidate that met the qualifications and rated highest on the scoring criteria would be offered an interview. Interviews would be conducted by panels that consisted of men, women, and co-workers.
3. The Director continues to attend as many AA meetings, prepare policies and plans and report to the Board. It has been helpful to have some meetings as conference calls to attend from Portland.
4. The Director has been working to obtain Workforce data from the licensees. The OT Licensing Board pays \$5 per licensee for the Oregon Health Authority to collate and provide charts and information about therapists in the state. The reports are attached to this report.
5. The Director will work with the OHA rules with cultural competency is defined and provide as much information about classes on CC (especially that are free) on the web site.
  - Refine definitions for cultural competency/linguistic competency, identify existing standards and propose standards for cultural competency CE in Oregon.
  - Explore existing cultural competency continuing education options
  - Explore operational issues for licensing boards to implement cultural competence CE

Hiring plans: If there are any announcements the Director will attempt to reach a diverse audience by placing them on the state's job page and on the Board's website. The Board would make prospective employees feel welcome by placing emphasis on creating a comfortable interview atmosphere. The interview team would introduce themselves, have water, paper and pencils available, give plenty of time to the candidate for organizing their thoughts, etc.

Management staff is proactive in communicating the importance of diversity with the staff, and includes diversity discussions in periodic one to one meetings. Note: There is only one part-time staff and one Director who meet periodically and talk daily. The Affirmative Action Representative is the Director who attends training to learn more about fostering cultural competency and multi-cultural organizational development.

Management/staff makes an effort to communicate cultural events throughout the area.

- Attended as many of the Affirmative Action/Diversity statewide monthly meetings.
- The Director attended various cultural/diversity events and meets with a diverse group of people.
- The Director, who is herself an immigrant, lived overseas in Madagascar, Morocco, Sri Lanka and Mexico and continues to respect and seek opportunities to celebrate diversity in her life through friendships, reading, films and cultural events and contact with people of diverse backgrounds.

## **B. Progress made or lost since previous biennium**

Cross-training and career developmental opportunities are encouraged. The goal is to retain employees by keeping them challenged and giving them room for growth. The small size of our agency requires that more than one person knows a job. A detailed Desk Manual continues to be updated.

The Board continues to strive to create a culturally diverse staff though there is only a Director and one part time staff. The Director will work with the Board in regards to any future changes in staff to provide a smooth transition.

The Board's strategy for retaining our employees includes:

- Value employees and urge them to participate in decisions that affect their work;
- Treat employees with respect and dignity;
- Show employees the benefits of working for the State of Oregon: pay, health insurance, location;
- Support employees in their learning and personal development plans;
- Maintain the Board's reputation for professionalism by making it a business people are proud to work for;
- Communicate well and often. Let people know what is happening in the organization;
- Make wise hiring decisions and continually evaluate our hiring practices; and
- Hold people accountable for adhering to our respectful workplace and harassment-free policy.

The agency's strength lies in its employees and licensees. We are a professional organization that lives with high expectations every day. Some challenges faced:

- Learn to communicate better. Not only between our younger and older staff members, but those who are more technologically advanced than others.
- Keep positive attitudes and help employees feel valued

If these challenges are not faced, we could potentially lose some of our more senior knowledgeable employees as well as our talented younger employees.

Workforce Data collection of licensees: The board helped work with the Oregon Health Authority to collect data from licensees and provide charts with information about licensees. Charts are attached and include Age, Gender, Race and Ethnicity for Occupational Therapists in the state.

## **V. JULY 1, 2015 - JUNE 30, 2017**

### **A. Goals for Affirmative Action Plan**

1. The Board will continue to provide information and opportunities for staff to participate in diversity training and multi-cultural events. The Board will continue to develop strategies to recruit, retain and promote a diverse staff. The Board recognizes the value of individual and cultural difference and creates a work environment where talents and abilities are valued.
2. Management staff is proactive in communicating the importance of diversity in staff meetings, and includes diversity discussions in communications with staff. The Board utilizes diversity within the workforce by incorporating diverse perspectives into business decisions. Management will also continue to attend required training to participate in the development and implementation of a program to foster cultural competency and multi-cultural organizational development. Management and staff will continue to communicate area cultural events.

3. HR is incorporated in the role of the Director and supported by the Board, will continue to educate and guide Managers in creating applicant pools and interviewing processes that are welcoming to all people, and helping them understand the benefits of a diverse workforce and supporting the Affirmative Action Plan. The Director and Board will actively participate in recruitment and selection activities and include AA performance measures on evaluations.
4. All managers will support activities that develop a work environment that is attractive to a diverse pool of applicants, retains employees, and is accepting and respectful of employees' differences. A welcoming environment will be created a number of ways - by sharing e-mail activity notices from the Governor's Affirmative Action Office, posting posters and flyers in the office common area, encouraging employees to share their thoughts and ideas, responding to issues quickly and efficiently.
5. Respectful workplace behaviors will be expected and enforced. Expectations will be presented by training, written policies and one-on-one.
6. Managers will also utilize employee retention ideas that include offering flexible schedules, open door policies, listening respectfully and responding quickly to problems.
7. Managers will be evaluated on their compliance with the agency's AA objectives on the annual performance evaluation.
8. The Director will continue to look at cultural diversity issues to provide continuing education for licensees in the area and have it accepted for CC requirements for licensure. group looking at providing cultural trainings to Oregon health care professionals.

### **B. Strategies and time lines for achieving our goals**

Summer 2015: The Director will present the 2015-2017 Affirmative Action Plan to the one part time employee one to one, and via e-mail to all Board Members.

Winter 2016: The Director, in the role as HR Manager, will request employees assistance in identifying ways to be more welcoming and meet the goals of this plan.

The Director will advertise all new board positions to a wide audience to look for new board members needed to be appointed by the Governor.

The Director will continue to work with Oregon Health Authority on the definition of cultural competency, identify existing standards and propose new standards for cultural competency CE in Oregon.

- Explore existing cultural competency continuing education options
- Explore free and low cost opportunities for cultural competency continuing education
- Explore operational issues for licensing boards to implement cultural competence CE

The Director will continue to work with the Oregon Health Authority to collect workforce data collection for licensees.

2015: The Director, as HR Manager, will update the Board members on the Board's affirmative action, recruitment statistics and discuss how to increase diversity.

Ongoing: The Director will post recruitments on the state's E-recruit system and other diversity websites and continually monitor the welcoming environment.

Ongoing: The director will listen and take action on our employee's feedback for creating a more welcoming environment; continue to keep cultural diversity in the forefront of all employees by sending out information sent to us by the Governor's Affirmative Action Office and showing management's commitment to cultural diversity by example of patience, tolerance and respect.

Ongoing: The Director will encourage staff to sign up for the Cultural-Health E-Newsletter. The E-Newsletter is designed to update members on various local multicultural health issues.

Ongoing: The Director will continue to meet with staff to discuss effective options for outreach to students and those interested in Occupational Therapy as a profession.

## **VI APPENDIX A**

### Agency's Policy Documentation

1. ADA and Reasonable Accommodation Policy
2. Discrimination and Harassment Free Workplace (Statewide Policy No 50.010.01)
3. Employee and Training Policy
4. Veterans Preference in Employment
5. Maintaining a Professional workplace No 50.020.03

See DAS Statewide Policies at [www.oregon.gov/DAS/CHRO/pages/rules.aspx](http://www.oregon.gov/DAS/CHRO/pages/rules.aspx)

Oregon Health Authority:

Workforce Data collection charts

## **VII APPENDIX B**

1. Age Discrimination in Employment Act of 1967(ADEA)
2. Disability Discrimination Title I of the American with Disability Act of 1990
3. Equal Pay and Compensation Discrimination Equal Pay Act of 1963, and title VII of the Civil Rights Act of 1964
4. Genetic Information discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
5. National Origin Discrimination Title VII of the Civil Rights Act of 1964
6. Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
7. Race/Color Discrimination Title VII of the Civil Rights Act of 1964
8. Religious Discrimination Title VII of the Civil Rights Act of 1964
9. Retaliation Title VII of the Civil Agency Affirmative Action Policy
10. Sex-Based Discrimination Title VII of the Civil Rights Act of 1964
11. Sexual Harassment Title VII of the Civil Rights Act of 1964.

### **3. Employee and Training Policy**

**PURPOSE/POLICY:** Provide resources and learning opportunities for the Board employees to perform the duties of their current position and to encourage their career development in state service. In accordance with the Oregon Benchmarks and State Policy, it is the goal of the Board to provide all employees with at least 20 hours of training related to work skills and knowledge each fiscal year.

**DEFINITIONS:** Training related to work skills – includes formal instruction that relates to an employee’s competence to perform their specific job, an employee’s work environment, or an employee’s state government career.

Job required training – provides knowledge or skills specific to an employee’s current job. It is needed for the successful performance of that job. Examples include technical knowledge, use of equipment, software applications, organizational skills and interpersonal skills.

Job related training – provides knowledge or skills an employee needs to meet agency or state performance expectations. Examples include understanding the agency or state mission and values, policies and procedures, customer service standards, safe work practices, valuing diversity and preventing harassment.

#### **RESPONSIBILITIES:**

Director

1. Assess the training needs of their employees on an on-going basis.
2. Develop and implement individual employee development plans that enable employees to successfully perform their jobs and contribute to the achievement of the Board’s mission and goals.
3. Job required and job related training shall be conducted without loss of pay to the employee and the employee shall be paid for the training time.
4. Encourage employees to research training opportunities for consideration.
5. Schedule and provide agency-wide training programs that meet common needs
6. Provide info on internal and external training programs, services, resources and opportunities.
7. Track training completed by employees.

Employees

1. Identify and research training opportunities that are job specific or job related. Share information with manager.

#### **4. Veterans Preference in Employment 105-040-0015**

See HRSD Rule 105-040-0015 published by Sec of State

**Applicability:** Recruitment and selection processes for all State of Oregon positions in agencies subject to ORS 240, State Personnel Relations Law, including but not limited to promotional opportunities.

(1) Definitions: (See also HRSD Rule 105-010-0000 Definitions Applicable Generally to Personnel Rules and Policies.) (a) Initial Application Screening: An agency's process of determining whether an applicant meets the minimum and special qualifications for a position. An Initial Application Screening may also include an evaluation of skills or grading of supplemental test questions if required on the recruiting announcement.

(b) Application Examination: The selection process utilized by an agency after Initial Application Screening. This selection process includes, but is not limited to, formal testing or other assessments resulting in a score as well as un-scored examinations such as interviews and reference checks.

(c) Veteran and Disabled Veteran: As defined by ORS 408.225 and 408.235.

(2) Application of preference points upon Initial Application Screening: Qualifying Veterans and Disabled Veterans receive preference points as follows;

(a) Five Veteran's Preference points are added upon Initial Application Screening when an applicant submits as verification of eligibility a copy of the Certificate of Release or Discharge from Active Duty (DD Form 214 or 215), or a letter from the US Department of Veteran's Affairs indicating the applicant receives a non-service connected pension with the State of Oregon Application; or

(b) Ten Disabled Veteran's points are added upon Initial Application Screening when an applicant submits as verification of eligibility a copy of the Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) with the State of Oregon Application. Disabled Veterans must also submit a copy of their Veteran's disability preference letter from the US Department of Veteran Affairs, unless the information is included in the DD Form 214 or 215.

(c) Veteran's and Disabled Veteran's preference points are not added when a Veteran or Disabled Veteran fails to meet the minimum or the special qualifications for a position.

(3) Following an Initial Application Screening the agency generates a list of qualified applicants to consider for Appointment. An Appointing Authority or designee may then: (a) Determine whether or not to interview all applicants who meet the minimum and special qualifications of the position (including all Veterans and Disabled Veterans); or

(b) Select a group of Veteran and Disabled Veteran applicants who most closely match the agency's purposes in filling the position. This group of applicants may be considered along with non-veteran applicants who closely match the purposes of the agency in filling the position as determined by:

(A) Scored Application Examinations (including scored interviews): If an agency utilizes, after an Initial Application Screening, a scored Application Examination to determine whom to consider further for Appointment, the agency will add (based on a 100-point scale) five points to a Veteran's score or 10 points to a Disabled Veteran's score or;

(B) Un-scored Application Examinations: Un-scored Application Examinations done by sorting into levels (such as "unsatisfactory," "satisfactory," "excellent") based on desired attributes or other criteria for further consideration will be accomplished by:

(i) Advancing the application of a Veteran one level;

(ii) Advancing an application of a Disabled Veteran two levels.

(4) Preference in un-scored interviews: A Veteran or Disabled Veteran who, in the judgment of the Appointing Authority or designee, meets all or substantially all of the agency's purposes in filling the position will continue to be considered for Appointment.

(5) If a Veteran or Disabled Veteran has been determined to be equal to the top applicant or applicants for a position by the Appointing Authority or designee then the Veteran or Disabled Veteran is ranked more highly than non-veteran applicants and, a Disabled Veteran is ranked more highly than non-veteran and Veteran applicants.

(6) Preference described in Sections 2 through 5 of this rule is not a requirement to appoint a Veteran or Disabled Veteran to a position. An agency may base a decision not to appoint the Veteran or Disabled Veteran solely on the Veteran's or Disabled Veteran's merits or qualifications.

(7) A Veteran or a Disabled Veteran applicant not appointed to a position may request an explanation from the agency. The request must be in writing and be sent within 30 calendar days of the date the Veteran or Disabled Veteran was notified that they were not selected. The agency will respond in writing with the reasons for not appointing the Veteran or Disabled Veteran.

[ED. NOTE: Forms referenced are available from the agency.] Stat. Auth: ORS 240.145(3) & 240.250; Stats.

Implemented: ORS 408.225, 408.230 & 408.235; Hist.: HRSD 3-2007(Temp), f. & cert ef. 9-5-07 thru 3-3-08; HRSD 1-2008, f. 2-27-08, cert. ef. 3-1-08; HRSD 3-2009, f. 12-30-09, cert. ef. 1-1-10

## **6. Other agency documentation in support of its affirmative action plan**

### **Persons with Disabilities Policy and Complaint Procedure:**

It is the policy of the Board to employ and advance in employment qualified individuals with disabilities. The Board shall make reasonable accommodations to the known physical or mental limitations of a participating member of the public, a consumer of agency services, or an agency job applicant or employee, unless to do so would create an undue hardship on the agency, as provided under the Americans with Disabilities Act (ADA).

The Board will make every effort to furnish appropriate and necessary auxiliary aids to ensure that individuals with disabilities will have equal opportunities to participate in activities and to receive the services of the department.

Definition of Person with a disability: A person, who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment or is regarded as having such an impairment. The Agency Administrative Director is designated as the ADA Coordinator pursuant to part 35.107 of the American's with Disabilities Act.

In compliance with ADA guidelines, the Board will provide special materials, services or assistance to individuals with a disability upon sufficient notice to the Board office. For the hearing impaired, the Board may be contacted through Oregon Relay at 1-800-735-1232.

- An employee, volunteer, provider, or vendor who believes he/she has been discriminated due to their disability should contact the Administrative Director or Executive Director. If the issue is not resolved to the employee's satisfaction, they should file a complaint regarding employment with the Equal Employment Opportunity Commission; or a complaint regarding services with the U.S. Department of Justice, Civil Rights Division.

